



Town of Newmarket

Agenda

Council - Electronic

Date: August 30, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

1. Public Notice

At this time, the Municipal Offices remain closed to the public. This meeting will be streamed live at newmarket.ca/meetings.

Public Input

Individuals who wish to submit input to Council in relation to an item on this agenda have the following options available.

1. Email your correspondence to clerks@newmarket.ca by end of day on Sunday, August 29, 2021. Written correspondence received by this date will form part of the public record; or,
2. Make a live remote deputation by joining the virtual meeting using the Town's videoconferencing software and verbally provide your comments over video or telephone. To select this option, you are strongly encouraged to pre-register by emailing your request and contact information to clerks@newmarket.ca.

2. Additions & Corrections to the Agenda

Note: Additional items are marked by an asterisk*.

3. Conflict of Interest Declarations

4. Public Hearing Matter

How to get involved with planning applications (item 4.1)

Newmarket Council will not be making any final decisions at this meeting in relation to item 4.1, all written and verbal comments will be given to Planning staff to consider in a future

report. A report will then be provided to Council at a future Committee of the Whole or Council Meeting.

Residents are encouraged to get involved in the public planning process by submitting written comments or participating in a live deputation through video conferencing during the meeting. To learn more about how to get involved, please email clerks@newmarket.ca and include your contact information (name and phone number).

4.1. Zoning By-law Amendment - Personal Wellness Establishments

Note: Adrian Cammaert, Manager, Planning Services and Phoebe Chow, Senior Planner - Policy will be in attendance to provide a presentation on this matter.

5. Presentations & Recognitions

6. Deputations

7. Minutes

7.1. Council - Electronic Meeting Minutes of June 21, 2021

1. That the Council - Electronic Meeting Minutes of June 21, 2021 be approved.

7.2. Special Council - Electronic Meeting Minutes of July 19, 2021

1. That the Special Council - Electronic Meeting Minutes of July 19, 2021 be approved.

8. Reports by Regional Representatives

9. Consent Items and Recommendations from Committees

9.1. Council Workshop - Electronic Meeting Minutes of June 28, 2021

Note: This meeting dealt with Town Of Newmarket Built Form & Privately Owned Public Space Guidelines.

1. That the Council Workshop - Electronic Meeting Minutes of June 28, 2021 be received.

9.2. Committee of the Whole - Electronic Meeting Minutes of August 23, 2021

1. That the Committee of the Whole - Electronic Meeting Minutes of August 23, 2021 be received and the recommendations noted within be adopted.

9.2.1. Presentation - Newmarket Hydro Holdings Inc. 2020 Annual General Meeting

1. That the presentation provided by Ysni Semsedini, President, Newmarket-Tay Power Distribution Ltd. and Gianni Creta, President, Envi Network regarding the Newmarket Hydro Holdings Inc. 2020 Annual General Meeting be received.

9.2.2. Presentation - Urban Design Guidelines

Note: This item was dealt with under sub-item 9.2.4. Please see sub-item 9.2.4 for motion.

9.2.3. Newmarket Hydro Holdings Inc. 2020 Annual General Meeting

Whereas the Corporation of the Town of Newmarket (the “Sole Shareholder”) is the sole shareholder of the Corporation; and,

Whereas the Sole Shareholder by a Shareholder Declaration dated November 1, 2000 appointed the Mayor as its legal representative for the purpose of communicating any shareholder consent or approval required by either the terms of the Shareholder Declaration or the Business Corporations Act (Ontario) (the “OBICA”); and,

Whereas the Corporation owns a majority of the common shares of Newmarket-Tay Power Distribution Ltd. (“NT Power”) and Envi Networks Ltd. (“Envi”); and pursuant to s.102(2) of the OBICA where a body corporate is the shareholder of a corporation the corporation shall recognize any individual properly authorized by the body corporate to represent it at meetings of shareholders of the corporation; and,

Whereas pursuant to s.104 of the OBICA a written resolution dealing with all the matters required to be dealt with at a shareholders meeting and signed by the shareholders entitled to vote at that meeting satisfies all requirements of the OBICA relating to that meeting of shareholders;

Now therefore be it resolved by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the Mayor, as the Sole Shareholder’s legal representative, is directed to sign the following Corporation Shareholder resolutions:
 - a. That the Corporation’s financial statements for the financial year ended December 31, 2020 together with the report of the Corporation’s auditors, Baker Tilly KDN LLP (“Baker Tilly”), Chartered Accountants, thereon dated May 19, 2021 be approved and adopted; and,
 - b. That Baker Tilly, Chartered Accountants, be appointed auditors of the Corporation to hold office until the next annual meeting

of shareholders at such remuneration as may be fixed by the sole director and the sole director is authorized to fix such remuneration; and,

- c. That Ian McDougall, be appointed as the sole director of the Corporation to hold office until the next annual meeting of shareholders or until his successor is elected or appointed; and
 - d. That Ian McDougall, so long as he is the sole director of the Corporation, shall represent the Corporation at meetings of shareholders of NT Power and Envi; and,
 - e. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the sole director and sole officer of the Corporation to December 31, 2020, as the same are set out or referred to in the resolutions of the sole director, or in the financial statements of the corporation, are approved, sanctioned and confirmed; and,
2. That the Mayor, as the Sole Shareholder's legal representative, direct Ian McDougall, the sole director and legal representative of the Corporation, to sign the following NT Power shareholder resolutions in lieu of an annual meeting:
- a. That the financial statements of NT Power for the financial year ended December 31, 2020 together with the report of NT Power's auditors, Baker Tilly, thereon dated April 28, 2021 be approved and adopted; and,
 - b. That Baker Tilly, Chartered Accountants, be appointed auditors of NT Power to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration; and,
 - c. That J. Taylor, T. Walker, D. Charleson, B. Gabel, C. Prattas, D. Priore, and, D. Wattling are elected directors of NT Power to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,
 - d. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of NT Power to December 31, 2020, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of NT Power, are approved, sanctioned and confirmed; and,

3. That the Mayor, as the Sole Shareholder's legal representative, direct Ian McDougall, the sole director and legal representative of the Corporation, to sign the following Envi shareholder resolutions in lieu of an annual meeting:
 - a. That the financial statements of Envi for the financial year ended December 31, 2020 together with the report of Envi's auditors, Baker Tilly, thereon dated April 8, 2021 be approved and adopted; and,
 - b. That Baker Tilly, Chartered Accountants, be appointed auditors of Envi to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration; and,
 - c. That I. Collins, J. Piercy, and B. Kwapis are elected directors of Envi to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,
 - d. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of Envi to December 31, 2020, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of Envi, are approved, sanctioned and confirmed.

9.2.4. Urban Design Guidelines

1. That the presentation provided by Matt Reid, Fotenn Planning + Design regarding Urban Design Guidelines be received; and,
2. That the report entitled Urban Design Guidelines dated August 23, 2021 be received; and,
3. That Council approve Attachment 1 to this report titled "Town of Newmarket Urban Design Guidelines" prepared by Fotenn Planning + Design, as amended; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.5. Ontario Ministry of the Environment, Conservation and Parks NPC-300 Guideline 17645 Yonge Street

1. That the report entitled Ontario Ministry of the Environment, Conservation and Parks NPC-300 Guideline – 17645 Yonge St

dated August 23 2021 be received; and,

2. That the designation of 17645 Yonge St to a Class 4 Noise Area be approved; and,
3. That Council approve the By-law, substantially in accordance with Attachment 1, authorizing the designation; and,
4. That Redwood Properties, 330 New Huntington Rd, Suite 201, Vaughan ON L4H 4C9, be notified of this action; and,
5. That Groundswell Urban Planners Inc. 30 West Beaver Creek Rd Unit 109, Richmond Hill ON L4B 3K1, be notified of this action; and,
6. That the owners of 17725 Yonge Street and their tenant, Food Basics, be notified of this action; and
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.6. Q2 of 2021 Financial Update

1. That the report entitled Q2 of 2021 Financial Update be received; and,
2. That \$120,000 be added to 2021 capital project "Stormwater Management Clean Outs/Retrofits Cleaning Program to be funded from the Stormwater reserve, revising the approved budget from \$450,000 to \$570,000; and
3. That Council approve reallocation of 2021 capital programs totaling \$1,724,000 based on revised project delivery timelines as outlined in the report, of which \$1,614,000 will be reallocated as part of the 2022 capital program; and,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.7. 2022 Meeting Schedules and Restricted Acts in a Municipal Election Year

1. That the report entitled 2022 Meeting Schedules and Restricted Acts in a Municipal Election Year dated August 23, 2021 be received; and,
2. That the 2022 Committee of the Whole and Council Meeting Schedule (Attachment A) be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.8. Hybrid Meeting Policy

1. That the report entitled Hybrid Meeting Policy dated August 23, 2021 be received; and,
2. That Council approve the Pilot Hybrid Meeting Policy attached as Attachment 1 and rescind the Electronic Participation in Meetings Policy; and,
3. That the proposed amendment to the Town of Newmarket's Procedure By-law 2020-12 to permit electronic participation after December 31, 2021 as outlined in Attachment 2 of this report be approved; and,
4. That the Town Clerk be authorized to administer the Pilot Hybrid Meeting Policy and develop the necessary Procedures to implement the Policy, as required; and,
5. That staff be directed to report back to Council in Q1 2023 with a review of the Pilot Hybrid Meeting Policy, as part of the Procedure By-law Review; and,
6. That beginning with the Committee of the Whole meeting of October 25, 2021 or as determined by the Mayor and Chief Administrative Officer, staff be directed to facilitate meetings in a hybrid manner with in-person and remote Members of Council, Staff and the public; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2.9. Second Quarterly Update to the Outstanding Matters List for 2021

1. That the report entitled Second Quarterly Update to the Outstanding Matters List for 2021 dated August 23, 2021 be received; and,
2. That Council adopt the Outstanding Matters List (Attachment A); and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution

9.2.10. Item 6.2 from Newmarket Public Library Board Meeting Minutes of May 19, 2021

The Strategic Leadership Team/Operational Leadership Team recommend:

Whereas public libraries are vibrant community hubs where residents of all ages and backgrounds can learn, work, train, innovate, explore and connect; and,

Whereas the Newmarket Public Library provides community members with equitable, reliable access to broadband internet; and,

Whereas the Newmarket Public Library uses technology to make resources more accessible and responsive to people's changing needs; and,

Whereas the Newmarket Public Library supports local economic development through the provision of important business development and job skills programming for adults and youth; and,

Whereas the Newmarket Public Library works closely with local residents to deliver valued programs and services and shares knowledge and resources; and,

Whereas the Newmarket Public Library continues to responsibly manage public resources with the utmost care and is committed to the sustainability of its services; and,

Whereas the Newmarket Public Library recognizes the opportunity that targeted provincial investment can provide to secure more equitable access to increasingly significant digital resources and library-based services across Ontario;

Now therefore be it resolved:

1. That the Town of Newmarket encourages the Province of Ontario to continue to recognize and support the contribution of local libraries within their communities; and,
2. That the Town of Newmarket encourages the Province of Ontario to maintain existing funding for Ontario's public libraries; and,
3. That the Town of Newmarket encourages the Province of Ontario to make a new, ongoing, targeted annual investment to strengthen access to modern, cost-effective digital resources and services for all Ontarians through local public libraries; and,
4. That a copy of this resolution be sent to the Ontario Minister of Heritage, Sport, Tourism, and Culture Industries, to the Ontario Minister of Municipal Affairs, to the local MPPs, to the Association of Municipalities Ontario, to the Ontario Library Association, to the Federation of Ontario Public Libraries, and to York Region and local area municipalities for endorsement.

9.2.11. Newmarket Public Library Board Meeting Minutes of May 19, 2021

1. That the Newmarket Public Library Board Meeting Minutes of May 19, 2021 be received.

9.2.12. Item 6.1 from June 1, 2021 Heritage Newmarket Advisory Committee Meeting Minutes

1. That the Heritage Newmarket Advisory Committee recommend heritage designation of the property located at 415 Davis Drive.

9.2.13. Heritage Newmarket Advisory Committee Meeting Minutes of June 1, 2021

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of June 1, 2021 be received.

9.2.14. Newmarket Economic Development Advisory Committee Meeting Minutes of October 7, 2020

1. That the Newmarket Economic Development Advisory Committee Meeting Minutes of October 7, 2020 be received.

9.2.15. Main Street District Business Improvement Area Board of Management Meeting Minutes of May 7, 2021

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of May 7, 2021 be received.

9.2.16. Newmarket Anti-Black Racism Task Force Meeting Minutes of May 4, 2021 and June 1, 2021

1. That the Newmarket Anti-Black Racism Task Force Meeting Minutes of May 4, 2021 and June 1, 2021 be received.

9.3. Council Workshop - Electronic Meeting Minutes of August 24, 2021

Note: This meeting dealt with the Digital Transformation Study.

1. That the Council Workshop - Electronic Meeting Minutes of August 24, 2021 be received.

10. By-laws

2021-38 A By-law to designate 17645 Yonge Street as a Class 4 Area under the Ontario Ministry of the Environment, Conservation and Parks "Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning (NPC-300)"

2021-39 A By-law to appoint a Chief Building Official, Deputies and Inspectors

2021-40 A By-law to amend Procedure By-law 2020-12 to permit electronic participation in meetings

1. That By-laws 2021-38, 2021-39, and 2021-40 be enacted.

11. Notices of Motions

12. Motions Where Notice has Already been Provided

13. New Business

14. Closed Session (if required)

14.1. Council - Electronic Meeting (Closed Session) Minutes of June 21, 2021

1. That the Council - Electronic Meeting (Closed Session) Minutes of June 21, 2021 be approved.

14.2. Special Council - Electronic Meeting (Closed Session) Minutes of July 19, 2021

1. That the Special Council - Electronic Meeting (Closed Session) Minutes of July 19, 2021 be approved.

14.3. Committee of the Whole - Electronic Meeting (Closed Session) Minutes of August 23, 2021

14.3.1. Newmarket-Tay Power and ENVI Financial Statements

A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, as per Section 239 (2)(i) of the Municipal Act, 2001.

14.3.2. Proposed Acquisition and Disposition of Land – Property in Ward 6

A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, as per Section 239 (2)(i) of the Municipal Act, 2001.

14.3.3. Vaccination Requirements/Policies

Advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as per Section 239 (2)(f) of the Municipal Act, 2001.

15. Confirmatory By-law

2021-41 A By-law to Confirm the Proceedings of the August 30, 2021 Council - Electronic meeting.

1. That By-law 2021-41 be enacted.

16. Adjournment



Zoning By-law Amendment

Personal Wellness Establishments

Prepared by: Adrian Cammaert

Phoebe Chow

Planning Services

Date: August 30, 2021

Overview

- Background
- Proposed Zoning By-law Amendment
- Next Steps

Background

- Body rub parlour regulations review
- Council directed Legislative Services staff to repeal the Town's body rub parlour classification and adopt a personal wellness establishment licensing framework
- Council directed Planning staff to proceed to a statutory public meeting to amend the Town's zoning by-laws

Proposed Zoning By-law Amendment

- Repeal the definition and provisions of Body Rub Parlour in Zoning By-laws 2010-40 and 2019-06
- Add two new definitions to both Zoning By-laws:
 - Personal Wellness Establishment
 - Alternative Massage
- Regulate where PWE will be permitted

Proposed Definitions

Person Wellness Establishment:

- any premises or part thereof where an Alternative Massage is performed, offered or solicited in exchange for payment

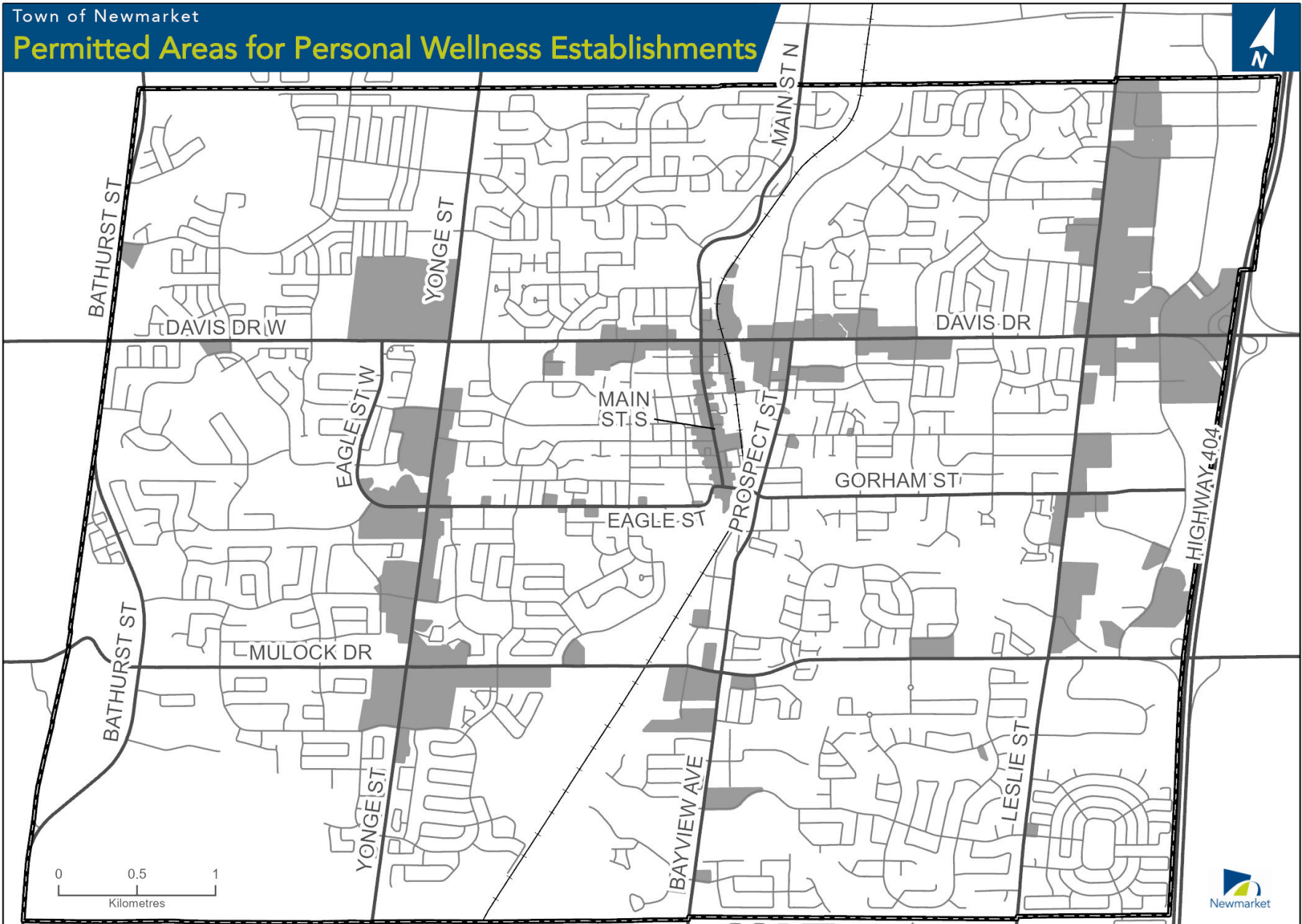
Alternative Massage:

- any massage that is not provided by persons licensed, or registered as a regulated health professional under the laws of the Province of Ontario by the College of Massage Therapists as registered massage therapists or massage therapists to provide medical or therapeutic in nature, nor is it designed to appeal to erotic appetites or inclinations

Where is PWE permitted?

- The following Commercial Zones:
 - Convenience Commercial (CC)
 - Service Commercial (CS)
 - Retail Commercial (CR-1 and CR-2)
- All Urban Centres (UC) Zones
- Mixed Employment (EM) Zone
- All Mixed Use (MU) Zones

Permitted Areas for Personal Wellness Establishments



Permitted Area for Personal Wellness Establishments
 Major Road
 Road
 Railway
 Municipal Boundary

Designed and produced by Information Technology – GIS. Printed: August, 2021. Sources: Roads, Railway, Municipal Boundary - Data, Analytics and Visualization Services Branch, Corporate Services © The Regional Municipality of York, 2021; All other data - © Town of Newmarket, 2021. DISCLAIMER: The information depicted on this map has been compiled from various sources. While every effort has been made to accurately depict the information, data/mapping errors may exist. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.



Next Steps

- Gather public input
- Recommendation report and amending Zoning By-law to Council later this year

Town-initiated Zoning By-law Amendment

Take notice that the Council of the Corporation of the Town of Newmarket will hold an electronic public meeting on **Monday, August 30, 2021 at 1 p.m.** using video conferencing (Zoom) to consider a Zoning By-law Amendment under the *Planning Act*, RSO 1990, c. P. 13, as amended.

As the Municipal Offices remain closed to the public, this meeting will be streamed live on **August 30, 2021 at 1 p.m.** at newmarket.ca/meetings. The video will also be made available after the meeting and archived on the Town's website. If there are any technical difficulties during the live stream, the Town will attempt to post the archived video after the meeting.

The purpose and effect of the proposed Zoning By-law Amendment (Town File No. D14-NP21-10) is to amend By-laws 2010-40, as amended, and 2019-06, as amended, to define and permit personal wellness establishments in all mixed use zones, urban centre zones, and certain commercial and employment zones in the Town of Newmarket.

The proposed Zoning By-Law amendment includes the following changes:

- Repeal the definition and zoning provisions associated with body rub parlour, and
- Add the definition and associated provisions to permit personal wellness establishments.

No location map is provided as the proposed Zoning By-law Amendment applies to existing by-laws that are in effect across the Town of Newmarket.

You can get involved with this application in the following ways:

Submit written comments

Written comments may be emailed to clerks@newmarket.ca. In order for comments to be received by Council at the statutory public meeting, written comments must be submitted by **end of day August 29, 2021**. Written comments will also continue to be received after the public meeting has concluded, after the meeting send written comments to planning@newmarket.ca.

Speak to Council during the live meeting through video conferencing (Zoom)

Individuals who wish to provide verbal representation may provide a remote (live) deputation through the Zoom platform during the Council meeting. Due to the technical requirements of joining an electronic meeting, residents are **strongly encouraged to pre-register for a remote (live) deputation** by providing their full name and contact information and registering via clerks@newmarket.ca or by calling 905-953-5300 extension 2203.

Personal information collected in response to this planning application will be used to assist Town staff and Council to process this application and will be made public.

Any person may verbally address Council during the live meeting through Zoom and/or submit written comments either in support of or against the proposed Zoning By-law Amendment.

Any person may send written comments to the Town of Newmarket at 395 Mulock Drive, P.O. Box 328, STN MAIN Newmarket, ON, L3Y 4X7 or via email at planning@newmarket.ca, or by calling 905-953-5321.

If you wish to be notified of the decision of the Town of Newmarket Council on the proposed Zoning By-law Amendment, you must make a written request to Planning Services at Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN MAIN Newmarket, ON L3Y 4X7 or by emailing planning@newmarket.ca.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Newmarket Council to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Dated: August 5, 2021

For more information about this matter, including information about appeal rights, contact Phoebe Chow, Senior Policy Planner
pchow@newmarket.ca



Town of Newmarket

Minutes

Council - Electronic

Date: Monday, June 21, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
I. McDougall, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
J. Unger, Director of Planning & Building Services
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

The meeting was called to order at 1:00 PM.
Mayor Taylor in the Chair.
Council recessed at 3:10 PM and reconvened at 3:21 PM.
Council recessed at 4:14 PM and reconvened at 4:24 PM.

1. Public Notice

Mayor Taylor advised that the Municipal Offices were closed to the public and that this meeting was streamed live at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by joining the meeting electronically through video or telephone. He advised residents that their comments would form part of the public record.

Mayor Taylor acknowledged that the Town of Newmarket is located on the traditional territories of the Wendat, Haudenosaunee, and the Anishinaabe peoples and the treaty land of the Williams Treaties First Nations and other Indigenous peoples whose presence here continues to this day. He thanked them for sharing this land with us. Mayor Taylor also acknowledged the Chippewas of Georgina Island First Nation as our close neighbours and friends, and that we work to ensure a cooperative and respectful relationship.

Mayor Taylor acknowledged National Indigenous Peoples Day by reflecting on the history of Indigenous peoples in the Newmarket area and the goals of Truth and Reconciliation.

Kim Wheatley provided a presentation to Council on the history of National Indigenous Peoples Day, the traditional four orders of Creation and performed a song as a gift to Council.

2. Additions & Corrections to the Agenda

The Clerk advised of the following additions to the agenda:

- Item 4.1.1: Correspondence submitted by Mike McGhee regarding the Public Hearing Matter on 17600 Yonge Street - Upper Canada Mall Master Plan
- Item 14.2: Closed Session Item regarding Personal matters about an identifiable individual, including municipal or local board employees, as per Section 239 (2)(b) of the Municipal Act, 2001.
- Item 6.2: Deputation provided by Amanda Stassen regarding Personal Wellness Establishments.
- Item 6.3: Deputation provided by Tanya Mok regarding Personal Wellness Establishments.

- Item 6.4: Deputation provided by Dongmei Li regarding Personal Wellness Establishments.
- Item 6.5: Deputation provided by Jenny Liang regarding Personal Wellness Establishments.
- Item 6.6: Deputation provided by Anna Lippman regarding Personal Wellness Establishments.
- Item 6.7: Deputation provided by Sandra Ka Hon Chu regarding Personal Wellness Establishments.
- Item 6.8: Deputation provided by Casandra Diamond regarding Personal Wellness Establishments.
- Item 6.9: Deputation provided by Ivy Chan regarding Personal Wellness Establishments.
- Item 6.10: Deputation provided by Elene Lam regarding Personal Wellness Establishments.
- Items 9.5.1 to 9.5.34: Correspondence related to Personal Wellness Establishments.

Moved by: Councillor Twinney

Seconded by: Councillor Morrison

1. That Council suspend the Procedure By-law to permit more than five deputations; and,
2. That the additions to the agenda be approved.

Carried by Two Thirds

3. Conflict of Interest Declarations

None.

4. Public Hearing Matter

The Clerk welcomed the public to the Virtual Public Planning and Council meeting. She advised that the Planning Act requires the Town to hold at least one public meeting on any proposed Zoning By-law Amendment, Official Plan Amendment or Draft Plan of Subdivision or Condominium.

The Clerk advised that the purpose of the public meeting is to hear from anyone who has an interest in the following application:

- 17600 Yonge Street - Upper Canada Mall Master Plan - The purpose of this amendment is to update the Secondary Plan policies with a Master Plan for the subject lands. The proposed Master Plan will guide the future long-term development of the lands surrounding the Mall. The applicant is proposing to put into effect a Master Plan that has been prepared for the subject lands, in accordance with Section 5.3.4 of the Urban Centres Secondary Plan. In planning for future growth and expansion, the proposed Master Plan will guide the future long-term development of the lands surrounding the Upper Canada Mall. While the Upper Canada Mall will continue to exist as planned, this Master Plan proposes to add, in phases, mixed use land uses of varying densities and heights, approximately 5,100 residential units, 9,700 square meters of non-residential Gross Floor Area, a new road system, approximately 4,500 parking spaces above/below ground and approximately 1.8 hectares of new public parks.

The Clerk encouraged anyone who was interested in providing verbal feedback to Council regarding the application to join the meeting electronically by emailing clerks@newmarket.ca.

The Clerk advised that if anyone wished to be notified of any subsequent meetings regarding this matter, they may email planning@newmarket.ca.

The Clerk noted that in accordance with the Planning Act, the Ontario Land Tribunal may dismiss an appeal to the Tribunal, without holding a hearing, if the appellant failed to make either oral submissions at the public meeting or provide written submissions to Council prior to adoption of the application.

The Clerk thanked residents for their participation and interest in the meeting.

4.1 17600 Yonge Street - Upper Canada Mall Master Plan

Oz Kemal, MHBC Planning, Urban Design & Landscape Architecture provided a presentation regarding the application to update the Secondary Plan policies with a Master Plan for the subject lands located at 17600 Yonge Street, which proposes to add, in phases, mixed use land uses of varying densities and heights, approximately 5,100 residential units, 9,700 square meters of non-residential Gross Floor Area, a new road system, approximately 4,500 parking spaces above/below ground and approximately 1.8 hectares of new public parks.

The presentation included an overview of the applicable policy and regulatory framework, the proposed phasing timelines, draft road network and pedestrian pathways, and sample park renderings.

The Director, Planning & Building Services provided Council with the next steps regarding the application process and advised that Staff would bring a report back to a future Committee of the Whole meeting.

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

1. That the presentation provided by Oz Kemal, MHBC Planning, Urban Design & Landscape Architecture regarding 17600 Yonge Street - Upper Canada Mall Master Plan be received; and,
2. **That sub-item 4.1.1 being correspondence provided by Mike McGhee be received.**

Carried

4.1.1 Correspondence - Mike McGhee

5. Presentations & Recognitions

None.

6. Deputations

6.1 Main Street Balconies

Hamid Electriciteh provided a deputation which outlined his heritage permit application to restore the door on the upper floor terrace on 214-218 Main Street South and asked why Committee of the Whole had voted to defer the application.

Moved by: Councillor Kwapis

Seconded by: Councillor Simon

1. That the deputation provided by Hamid Electriciteh regarding Main Street Balconies be received.

6.2 Personal Wellness Establishments - Amanda Stassen

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

Amanda Stassen provided a deputation in which she provided her support for the proposed regulations due to the potential association with prostitution and human trafficking with body rub parlours.

6.3 Personal Wellness Establishments - Tanya Mok

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

Tanya Mok of Friends of Chinatown provided a deputation which outlined her opposition to the proposed regulations and outlined her concerns that the proposed regulations would impact Asian workers.

6.4 Personal Wellness Establishments - Dongmei Li

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

Dongmei Li provided a deputation which outlined her concerns that the proposed regulations would make it difficult to continue working in massage parlours.

6.5 Personal Wellness Establishments - Jenny Liang

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

Jenny Liang provided a deputation which shared her experience working in Canada as an immigrant and her opposition to the proposed regulations due to her concerns that the proposed regulations would make it difficult to continue working in massage parlours.

6.6 Personal Wellness Establishments - Anna Lippman

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

Anna Lippman provided a deputation which outlined her opposition to the proposed regulations as she believes that training exemptions are discriminatory and difficult for workers to comply with.

6.7 Personal Wellness Establishments - Sandra Ka Hon Chu

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

Sandra Ka Hon Chu of the HIV Legal Network provided a deputation which outlined her opposition to the proposed regulations due to the difficulty for workers of gaining accreditation in order to be licensed.

6.8 Personal Wellness Establishments - Casandra Diamond

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

Casandra Diamond of BridgeNorth Women's Mentorship & Advocacy provided a deputation which outlined her support for the proposed regulations.

6.9 Personal Wellness Establishments - Ivy Chan

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

Ivy Chan provided a deputation which provided her experience working in a massage parlour and outlined her concerns that the proposed regulations would impact her ability to work.

6.10 Personal Wellness Establishments - Elene Lam

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

Elene Lam, Executive Director of Butterfly provided a deputation which outlined her opposition to the proposed regulations due to the effect it would have on immigrant massage parlour workers.

7. Minutes

7.1 Council - Electronic Meeting Minutes of May 31, 2021

Moved by: Councillor Kwapis

Seconded by: Councillor Woodhouse

1. That the Council - Electronic Meeting Minutes of May 31, 2021 be approved.

Carried

7.2 Special Council - Electronic Meeting Minutes of June 8, 2021

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the Special Council - Electronic Meeting Minutes of June 8, 2021 be approved.

Carried

8. Reports by Regional Representatives

Deputy Mayor & Regional Councillor Vegh provided an update on the recent York Region Council meeting, including the COVID-19 vaccination efforts. He provided an update on provincial funding for long-term care homes and advised that funding had been approved for various facilities throughout York Region. He further advised of York Region's efforts to update its Seniors Strategy.

9. Consent Items and Recommendations from Committees

9.1 Item 4.3 of the draft Audit Committee Meeting Minutes of June 15, 2021

Moved by: Councillor Bisanz

Seconded by: Councillor Morrison

1. That the Audit Committee recommends to Council that the Consolidated Financial Statements of The Corporation of Town of Newmarket for the year ended December 31, 2020 be approved, as amended; and,
2. That the Audit Committee recommends to Council that the Financial Statements of Town of Newmarket Main Street District BIA for the year ended December 31, 2020 be approved.

Carried

9.2 2020 Financial Statements and Auditor's Report

Moved by: Councillor Woodhouse

Seconded by: Councillor Broome

1. That the report entitled 2020 Financial Statements and Auditor's Report dated June 21, 2021 be received; and,
2. That the draft 2020 financial statements for the Corporation of the Town of Newmarket and the Town of Newmarket Main Street District BIA; the Financial Statement Discussion and Analysis prepared by staff; and the Report to the Audit Committee on the results of the December 31, 2020 financial statements audits from Deloitte LLP be received; and,
3. That Council approve the 2020 financial statements for the Corporation of the Town of Newmarket and the Town of Newmarket Main Street District BIA as endorsed by the Audit Committee.

Carried

9.3 Council Workshop - Electronic Meeting Minutes of June 7, 2021

Moved by: Councillor Twinney

Seconded by: Councillor Morrison

1. That the Council Workshop - Electronic Meeting Minutes of June 7, 2021 be received.

Carried

9.4 Committee of the Whole - Electronic Meeting Minutes of June 14, 2021

Moved by: Councillor Simon

Seconded by: Councillor Kwapis

1. That the Committee of the Whole - Electronic Meeting Minutes of June 14, 2021 be received and the recommendations noted within be adopted.

9.4.1 Presentation - Engaged Inclusive Communities Summary Report

1. That the presentation provided by Kim Clark and Erin Cerenzia regarding the Engaged Inclusive Communities Summary Report be received.

9.4.2 Engaged Inclusive Communities Report

1. That the Engaged, Inclusive Communities Phase 1: Report be received for information.

9.4.3 York Region Municipal Comprehensive Review – 2051 Forecast

1. That the report entitled York Region Municipal Comprehensive Review – 2051 Forecast dated June 14, 2021 be received; and,
2. That Council endorse the comments outlined in this report; and,
3. That Staff be directed to forward this report to the Regional Municipality of York for its consideration as part of the Municipal Comprehensive Review; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.4 Condominium Process Amendments

1. That the report entitled Condominium Process Amendments dated June 14, 2021 be received; and,
2. That Council pass a by-law approving the condominium exemption for Connecticut Lane on the lands legally described as Block 53 on 65M-4683, on the basis that the overall development has been approved through the subdivision approval process for the development of the lands as a residential development and that all of the subdivision and development conditions have been addressed through that process, including the registration of a Subdivision Agreement; and,

3. That Shining Hill Estate Collections Inc. c/o Paul Bailey, 1500 Highway 7 West, Concord ON L4K 5Y4 be notified of this action; and,
4. That Malone Given Parsons Ltd., c/o Lincoln Lo, 140 Renfrew Drive, Suite 201, Markham ON L3R 6B3 be notified of this action; and
5. That Council and staff adopt a new process for applications requesting exemption from the condominium process as permitted by Section 9(3) of the Condominium Act as outlined in this report; and,
6. That Council institute a fee of \$4,104.10 +HST for processing an exemption request; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.5 200 Deerfield Road (Phase 3) - Incentives for Affordable Housing and Rental Housing

1. That the report entitled 200 Deerfield (Phase 3) Incentives for Affordable Housing and Rental Housing, dated June 14, 2021 be received; and,
2. That Council approve the recommendations for development charge and fee deferral as outlined in this report; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.6 Reserve and Reserve Fund Budget Report

1. That the report entitled 2021 Reserves and Reserve Funds Budget dated June 14, 2020 be received; and,
2. That 2021 Reserves and Reserve Funds Budget as set out in the attachment be approved; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.7 2021 Budget Reconciliation

1. That the report entitled 2021 Budget Reconciliation dated June 14, 2021 be received; and,

2. That the adjustments to the Council approved 2021 budget be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.8 Alex Doner Drive Traffic Review – Sykes Road to Kirby Crescent

1. That the report entitled Alex Doner Drive Traffic Review – Sykes Road to Kirby Crescent dated June 14, 2021 be received; and,
2. That Category 1 measures be approved for this section of Alex Doner Drive; and,
3. That this report be sent to York Regional Police to provide enforcement as they deem necessary; and,
4. That the traffic control review, such as all-way stops, be undertaken when traffic volumes have returned to a more normal level after the pandemic; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.9 Stonehaven Avenue Traffic Review

1. That the report entitled Stonehaven Avenue Traffic Review dated June 14, 2021 be received; and,
2. That Category 1 measures be approved; and,
3. That a painted median through the curved section of Stonehaven Avenue, west of Best Circle, approaching the commercial area at Bayview, be implemented; and,
4. That this report be forwarded to York Region Police to provide traffic enforcement, as they deem necessary; and,
5. That the traffic control review, for all-way stops or other stop control, be undertaken when traffic volumes have returned to a more normal level after the pandemic; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.10 Commemorative Pride Bench

1. That the report entitled Commemorative Pride Bench dated June 14, 2021 be received; and,
2. That the installation of a Pride Rainbow Bench, as attached in the report be approved; and,
3. That Staff work with York Region Pride to finalize installation logistics at the Main Street location; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.11 Stormwater Management Ponds

1. That the report entitled Stormwater Management Ponds dated June 14, 2021 be received; and,
2. That Council directs Staff to continue to not permit individuals to use Stormwater Management Ponds for recreational purposes in the Town of Newmarket; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.4.12 Accessibility Advisory Committee Meeting Minutes of March 18, 2021

1. That the Accessibility Advisory Committee Meeting Minutes of March 18, 2021 be received.

9.4.13 Heritage Newmarket Advisory Committee Meeting Minutes of April 6, 2021

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of April 6, 2021 be received.

9.4.14 Main Street District Business Improvement Area Board of Management Meeting Minutes of April 7, 2021

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of April 7, 2021 be received.

9.4.15 Newmarket Public Library Board Meeting Minutes of April 21, 2021

1. That the Newmarket Public Library Board Meeting Minutes of April 21, 2021 be received.

**9.4.16 All Way Stop at Frederick Curran Lane and Art West Avenue
(Councillor Bisanz)**

1. That Council direct staff to investigate the addition of stop signs at the intersection of Frederick Curran Lane and Art West Way, making it an all-way stop intersection, and to report back to Council at the earliest opportunity.

**9.4.17 New Business - William Roe Boulevard and Dixon Boulevard
Traffic Update**

1. That Council direct staff to mail a copy of the William Roe Boulevard and Dixon Boulevard Traffic Update information report to residents who had previously requested notice on this matter.

9.4.18 New Business - Main Street Balconies

1. That Council direct staff to undertake a policy review and policy recommendations related to street facing balconies and other residential private outdoor amenity areas in the Main Street Heritage Conservation District; and,
2. That Council direct staff to defer making a decision on any current heritage applications involving balconies or residential private outdoor amenity areas for public occupation/use within this district until the completion of this study.

**9.5 Correspondence regarding item 9.6.18 - Licensing Regime for
Personal Wellness Establishments**

Moved by: Councillor Morrison

Seconded by: Councillor Woodhouse

1. That sub-items 9.5.1, 9.5.2, 9.5.3, 9.5.4, 9.5.5, 9.5.6, 9.5.7, 9.5.8, 9.5.9, 9.5.10, 9.5.11, 9.5.12, 9.5.13, 9.5.14, 9.5.15, 9.5.16, 9.5.17, 9.5.18, 9.5.19, 9.5.20, 9.5.21, 9.5.22, 9.5.23, 9.5.24, 9.5.25, 9.5.26, 9.5.27, 9.5.28, 9.5.29, 9.5.30, 9.5.31, 9.5.32, 9.5.33, and 9.5.34 being correspondence provided by Joanna Ewart-James, Meenakshi Mannoe, Noa Mendelsohn Aviv, William Stassen, Gladys Mok, Irene Collard, Lisa Klassen, Renee Dumaresque, Wendy Lee, Carolina Jimenez, Colin and Sarah Macdonald, Michael McGahon, Daniel McIntyre, Natasha Tso, Amie Sawulski, Mikhaela Gray, Aaron

Beerman, Genevieve Fuji Johnson, Louise Marling, Wendy Hayhoe, Lisa Bickle, Helen Hufnagel, Debbie Pond, Winnie Ng, Pam Cope, Kojo Dampety, Ruth Dow, Chinese Canadian Collective, Asian Queer Alliance, Asian Law Students of Osgoode 2021-2022, McMaster Stands with Hong Kong, Ontario Hong Kong Youth Action, Marnie Hill, and Robert Vallee be received.

Carried

- 9.5.1 Correspondence - Joanna Ewart-James**
- 9.5.2 Correspondence - Meenakshi Mannoe**
- 9.5.3 Correspondence - Noa Mendelsohn Aviv**
- 9.5.4 Correspondence - William Stassen**
- 9.5.5 Correspondence - Gladys Mok**
- 9.5.6 Correspondence - Irene Collard**
- 9.5.7 Correspondence - Lisa Klassen**
- 9.5.8 Correspondence - Renee Dumaresque**
- 9.5.9 Correspondence - Wendy Lee**
- 9.5.10 Correspondence - Carolina Jimenez**
- 9.5.11 Correspondence - Colin and Sarah Macdonald**
- 9.5.12 Correspondence - Michael McGahon**
- 9.5.13 Correspondence - Daniel McIntyre**
- 9.5.14 Correspondence - Natasha Tso**
- 9.5.15 Correspondence - Amie Sawulski**
- 9.5.16 Correspondence - Mikhaela Gray**
- 9.5.17 Correspondence - Aaron Beerman**
- 9.5.18 Correspondence - Genevieve Fuji Johnson**
- 9.5.19 Correspondence - Louise Marling**
- 9.5.20 Correspondence - Wendy Hayhoe**
- 9.5.21 Correspondence - Lisa Bickle**

- 9.5.22 Correspondence - Helen Hufnagel
- 9.5.23 Correspondence - Debbie Pond
- 9.5.24 Correspondence - Winnie Ng
- 9.5.25 Correspondence - Pam Cope
- 9.5.26 Correspondence - Kojo Dampsey
- 9.5.27 Correspondence - Ruth Dow
- 9.5.28 Correspondence - Chinese Canadian Collective
- 9.5.29 Correspondence - Asian Queer Alliance
- 9.5.30 Correspondence - Asian Law Students of Osgoode 2021-2022
- 9.5.31 Correspondence - McMaster Stands with Hong Kong
- 9.5.32 Correspondence - Ontario Hong Kong Youth Action
- 9.5.33 Correspondence - Marnie Hill
- 9.5.34 Correspondence - Robert Vallee

9.6 Special Committee of the Whole - Electronic Meeting Minutes of June 16, 2021

Moved by: Councillor Twinney

Seconded by: Councillor Kwapis

1. That the Special Committee of the Whole - Electronic Meeting Minutes of June 16, 2021 be received and the recommendations noted within be adopted with the exception of sub-item 9.6.18. See following sub-item 9.6.18 for motion.

Carried

9.6.1 Presentation - Personal Wellness Establishments

Note: This item was dealt with under sub-item 9.6.18. Please see sub-item 9.6.18 for motion.

9.6.2 Deputation - Personal Wellness Establishments - Katie Gilligan

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.3 Deputation - Personal Wellness Establishments - Robert Vallee

9.6.4 Deputation - Personal Wellness Establishments - Marnie Hill

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.5 Deputation - Personal Wellness Establishments - Tsz Chan

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.6 Deputation - Personal Wellness Establishments - Elene Lam

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.7 Deputation - Personal Wellness Establishments - Lisa Zhang

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.8 Deputation - Personal Wellness Establishments - Jessie Tang

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.9 Deputation - Personal Wellness Establishments - Ann De Shalit

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.10 Deputation - Personal Wellness Establishments - Elena Shih

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.11 Deputation - Personal Wellness Establishments - Alice Cavanagh

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.12 Deputation - Personal Wellness Establishments - Dr. Vivian Tam

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.13 Deputation - Personal Wellness Establishments - Poe Liberado

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.14 Deputation - Personal Wellness Establishments - Ivy Chan

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.15 Deputation - Personal Wellness Establishments - Molly Bannerman

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.16 Deputation - Personal Wellness Establishments - Stephanie Watts

Note: This item was dealt with under sub-item 9.6.17. Please see sub-item 9.6.17 for motion.

9.6.17 Deputation - Personal Wellness Establishments - Jenny Liang

1. That sub-items 9.6.2, 9.6.3, 9.6.4, 9.6.5, 9.6.6, 9.6.7, 9.6.8, 9.6.9, 9.6.10, 9.6.11, 9.6.12, 9.6.13, 9.6.14, 9.6.15, 9.6.16, and 9.6.17 being remote deputations provided by Katie Gilligan, Robert Vallee, Marnie Hill, Tsz Chan, Elene Lam, Lisa Zhang, Jessie Tang, Ann De Shalit, Elena Shih, Alice Cavanagh, Dr. Vivian Tam, Poe Liberado, Ivy Chan, Molly Bannerman, Stephanie Watts, and Jenny Liang be received.

9.6.18 Licensing Regime for Personal Wellness Establishments

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Simon

Seconded by: Councillor Broome

1. **That sub-items 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9 and 6.10, being remote deputations provided by Amanda Stassen, Tanya Mok, Dongmei Li, Jenny Liang, Anna**

Lippman, Sandra Ka Hon Chu, Casandra Diamond, Ivy Chan, and Elene Lam be received; and,

2. That the presentation provided by Flynn Scott, Manager of Regulatory Services regarding Personal Wellness Establishments be received; and,
3. That the report entitled Licensing Regime for Personal Wellness Establishments dated June 16, 2021 be received; and,
4. That staff be directed to proceed to a statutory public meeting in order to amend the Town's Zoning By-laws to consider Personal Wellness Establishments; and,
5. That Business By-law 2020-31 be amended to adopt the proposed Personal Wellness Establishment regulations, as amended to include language regarding residential use and restricting overnight accommodations in commercial storefronts; and,
6. That the proposed Personal Wellness Establishment regulations within the Business By-law 2020-31 take effect at the same time that a future proposed amendment to the Zoning By-laws for Personal Wellness Establishments is deemed effective; and,
7. That Schedule 7: Body-Rub Parlours of By-law 2002-151 be repealed; and,
8. That the AMPS By-law 2019-62, Schedule A be amended as proposed in Attachment #2, as amended, and,
9. That the Fees and Charges By-law 2020-09, Schedule F be amended as proposed in Attachment #3; and,
10. That staff be directed and authorized and directed to do all things necessary to give effect to this resolution.

Carried

10. By-laws

Moved by: Councillor Woodhouse

Seconded by: Councillor Morrison

1. That By-laws 2021-29, 2021-31, 2021-32, 2021-33, and 2021-34 be enacted.

Carried

11. Notices of Motions

None.

12. Motions Where Notice has Already been Provided

None.

13. New Business

None.

14. Closed Session

Moved by: Councillor Broome

Seconded by: Councillor Twinney

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:

- a. Proposed Acquisition and Disposition of Land – Property in Ward 6 – A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, as per Section 239 (2)(i) of the Municipal Act, 2001.
- b. Proposed Acquisition and Disposition of Land – Property in Ward 6 – A proposed or pending acquisition or disposition of land by the municipality or local board, as per Section 239 (2)(c) of the Municipal Act, 2001.
- c. Personal matters about an identifiable individual, including municipal or local board employees, as per Section 239 (2)(b) of the Municipal Act, 2001.

Carried

Council resolved into Closed Session at 4:24 PM.

Council (Closed Session) Minutes are recorded under separate cover.

Council resumed into Open Session at 6:33 PM

14.1 Special Committee of the Whole - Electronic Meeting (Closed Session) Minutes of June 16, 2021

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Broome

Seconded by: Councillor Morrison

1. That the Special Committee of the Whole - Electronic Meeting (Closed Session) Minutes of June 16, 2021 be approved; and
2. **That Closed Session Report CL-2021-07 dated June 16, 2021 be received; and,**
3. **That Closed Session Report CL-2021-08 dated June 16, 2021 be received; and,**
4. **That the confidential direction to Staff be approved.**

Carried

14.1.1 Proposed Acquisition and Disposition of Land – Property in Ward 6

14.1.2 Proposed Acquisition and Disposition of Land – Property in Ward 6

14.2 Personal matters about an identifiable individual, including municipal or local board employees, as per Section 239 (2)(b) of the Municipal Act, 2001

Moved by: Councillor Kwapis

Seconded by: Councillor Broome

1. That the confidential verbal update be received; and,
2. That the confidential direction to staff be approved.

Carried

15. Confirmatory By-law

Moved by: Councillor Woodhouse

Seconded by: Councillor Twinney

1. That By-law 2021-35 be enacted.

Carried

16. Adjournment

Moved by: Councillor Simon

Seconded by: Councillor Kwapis

1. That the meeting be adjourned at 6:34 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Special Council Meeting - Electronic

Date: Monday, July 19, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
I. McDougall, Commissioner of Community Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Reynar, Director of Legal and Procurement Services
J. Unger, Director of Planning & Building Services
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

The meeting was called to order at 1:01 PM.
Mayor Taylor in the Chair.

1. Notice

Mayor Taylor advised that the Municipal Offices were closed to the public and that this meeting was streamed live at Newmarket.ca/meetings. Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by joining the meeting electronically through video or telephone. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

The Clerk advised of the following addition to the agenda:

- Item 4.3: Chief Administrative Officer (CAO) Appointment By-law to appoint Ian McDougall as the new CAO for the Town of Newmarket.

Moved by: Councillor Twinney

Seconded by: Councillor Broome

1. That the addition to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Items

4.1 Heritage Permit Application - 214 to 218 Main Street South

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Kwapis

Seconded by: Councillor Twinney

1. That the report entitled Heritage Permit Application – 214 to 218 Main Street South dated July 19, 2021 be received; and,
2. That Staff be authorized and directed to grant the applicant the permit **with the condition that the balcony not be accessible for resident use.**

Carried

4.2 INFO-2021-23: 55 Eagle Street

Moved by: Councillor Kwapis

Seconded by: Councillor Morrison

1. That the Information Report entitled 55 Eagle Street, dated July 13, 2020 be received.

Carried

4.3 Chief Administrative Officer (CAO) Appointment By-law

Mayor Taylor thanked Jag Sharma, Chief Administrative Officer for his commitment to the Town of Newmarket. He introduced Ian McDougall as the new Chief Administrative Officer for the Town of Newmarket and thanked him for his years of service with the Town and leadership throughout the COVID-19 pandemic.

Moved by: Councillor Broome

Seconded by: Councillor Bisanz

1. That By-law 2021-36 be enacted.

Carried

5. Closed Session

Moved by: Councillor Kwapis

Seconded by: Councillor Morrison

1. That Council waive the notice provision to permit a Closed Session regarding Item 4.1: Heritage Permit Application - 214 to 218 Main Street South; and,
2. That Council resolve into Closed Session to discuss the following matters:
 - a. Heritage Permit Application - 214 to 218 Main Street South - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as per Section 239 (2)(f) of the Municipal Act, 2001.

- b. 55 Eagle Street - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as per Section 239 (2)(f) of the Municipal Act, 2001.
- c. ENVI Networks Update - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, as per Section 239 (2)(i) of the Municipal Act, 2001.

Carried

Council resolved into Closed Session at 1:24 PM.

Council (Closed Session) Minutes are recorded under separate cover.

Council resumed into Open Session at 2:53 PM

5.1 Heritage Permit Application - 214 to 218 Main Street South

Note: This item was dealt with under sub-item 4.1. Please see sub-item 4.1 for motion.

5.2 55 Eagle Street

Moved by: Councillor Woodhouse

Seconded by: Councillor Kwapis

1. That the confidential legal advice provided by staff be received.

Carried

5.3 ENVI Networks Update

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Kwapis

1. That the confidential direction to staff be approved.

Carried

6. Confirmatory By-law

Moved by: Councillor Broome

Seconded by: Councillor Bisanz

1. That By-law 2021-37 be enacted.

Carried

7. Adjournment

Moved by: Councillor Bisanz

Seconded by: Councillor Morrison

1. That the meeting be adjourned at 3:00 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Council Workshop - Electronic

Date: Monday, June 28, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Woodhouse
Councillor Twinney
Councillor Morrison
Councillor Kwapis
Councillor Bisanz

Members Absent: Councillor Broome

Staff Present: J. Sharma, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Saini, Deputy Town Clerk
A. Cammaert, Manager of Planning Services
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

The meeting was called to order at 1:00 PM.
Mayor Taylor in the Chair.
Council recessed at 1:23 PM and reconvened at 1:24 PM.

1. Notice

Mayor Taylor advised that the Municipal Offices were closed to the public and that this meeting was streamed live at Newmarket.ca/meetings.

Mayor Taylor advised that in accordance with the Town's Procedure By-law, no decisions are to be made but rather this meeting was an opportunity for Council to have informal discussion regarding various matters.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Items

4.1 Town Of Newmarket Built Form & Privately Owned Public Space (POPS) Guidelines

The Manager of Planning Services provided an introduction to the presentation, which explained the rationale behind the development of urban design guidelines and a background on the process to date. Matt Reid of Fotenn provided a presentation which began with an overview of the project, the purpose of developing the guidelines and the project timeline. The presentation continued with an overview of how the guidelines would be applied and used to promote the design objectives.

The presentation continued with an overview of the design objectives which form the basis of the guidelines and an outline of the built form typology which describes the different types of buildings in the Town. The presentation included an overview of privately-owned public spaces (POPS) and the key considerations for their inclusion in developments. The presentation concluded with the next steps in the development of the guidelines and an overview of the public input received to date.

Members of Council asked questions of clarification regarding enforceability of the guidelines, the timing of the guidelines coming into effect, how specific the guidelines would be in relation to types of developments, the effect of the guidelines on applications already submitted to the Town, how urban design guidelines would work with established neighbourhoods compatibility, the challenge of first floor retail and the possibility of using an urban design review panel.

Members of Council participated in an exercise to provide their feedback on a hypothetical large site on an arterial road, and provided their comments in relation to the proposed urban design guidelines.

The Manager of Planning Services provided Council with the next steps in the urban design guidelines process.

Moved by: Councillor Woodhouse

Seconded by: Councillor Bisanz

1. That the presentation provided by Matt Reid, Fotenn regarding Town Of Newmarket Built Form & Privately Owned Public Space (POPS) Guidelines be received.

Carried

5. Adjournment

Moved by: Councillor Morrison

Seconded by: Councillor Twinney

1. That the meeting be adjourned at 3:03 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket

Minutes

Committee of the Whole - Electronic

Date: Monday, August 23, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Morrison
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Members Absent: Councillor Woodhouse
Councillor Twinney

Staff Present: I. McDougall, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
L. Lyons, Director of Legislative Services/Town Clerk
M. Agnoletto, Director of Public Works Services
W. Bennett, Director of Corporate Communications
A. Cammaert, Acting Director of Planning and Building Services
M. White, Senior Planner - Community Planning
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

Guests: Ysni Semsedini, President & CEO, Newmarket-Tay Power
Gianni Creta, President, Envi Networks Ltd.

For consideration by Council on August 30, 2021.

The meeting was called to order at 1:00 PM.

Mayor Taylor in the Chair.

Committee of the Whole recessed at 2:42 PM and reconvened at 2:50 PM.

1. Notice

Mayor Taylor advised that the Municipal Offices were closed to the public and that this meeting was streamed live at [Newmarket.ca/meetings](https://newmarket.ca/meetings). Residents who would like to provide comment on an item on this agenda were encouraged to provide their feedback in writing through email to Legislative Services at clerks@newmarket.ca or by joining the meeting electronically through video or telephone. He advised residents that their comments would form part of the public record.

2. Additions & Corrections to the Agenda

The Clerk advised of the following addition to the agenda:

- Closed Session Item 11.3: Vaccination Requirements/Policies - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose as per Section 239(2)(f) of the Municipal Act, 2001.

Moved by: Councillor Morrison

Seconded by: Councillor Bisanz

1. That the addition to the agenda be approved.

Carried

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

4.1 Newmarket Hydro Holdings Inc. 2020 Annual General Meeting

Ysni Semsedini, President, Newmarket-Tay Power Distribution Ltd. provided a brief 2020 year in review and an overview of the motions that were required by the Town of Newmarket Council. He also reviewed the

COVID-19 impacts including the flexible work arrangements for staff, decrease in gross income, and increase in bad debt. He further provided an overview of the distribution system plan and next steps.

Gianni Creta, President, ENVI Network provided a business review of ENVI Network, outlined the impacts of COVID-19 on the customer installs, employees, and financials.

Moved by: Councillor Kwapis

Seconded by: Councillor Bisanz

1. That the presentation provided by Ysni Semsedini, President, Newmarket-Tay Power Distribution Ltd. and Gianni Creta, President, Envi Network regarding the Newmarket Hydro Holdings Inc. 2020 Annual General Meeting be received.

Carried

4.2 Urban Design Guidelines

The Acting, Director of Planning and Building Services provided an introduction to Matt Reid, Fotenn Planning + Design, and provided background information related to the Urban Design Guidelines and the various methods of consultation provided.

Matt Reid provided an overview of the project timeline, guideline application, design objectives, and the intent-driven approach. He further summarized the engagement opportunities through Public Information Sessions (PICs), a Council Workshop and a BILD Review. The presentation concluded with a review of the three demonstration sites and the specific application of guidelines in these scenarios.

Members of Council queried the presenter and Staff regarding how the Urban Design Guidelines fit into the current planning application process, height related to adjacent residential neighborhoods, and the Official Plan policy.

5. Deputations

None.

6. Consent Items

Moved by: Councillor Morrison

Seconded by: Councillor Kwapis

1. That sub-items 6.4, 6.5, 6.7, 6.8, 6.9, 6.10, 6.11, 6.12, 6.13 and 6.14 be adopted on consent. See following sub-items 6.1, 6.2, 6.3, and 6.6 for motions.

Carried

6.1 Newmarket Hydro Holdings Inc. 2020 Annual General Meeting

Moved by: Councillor Morrison

Seconded by: Councillor Broome

Whereas the Corporation of the Town of Newmarket (the “Sole Shareholder”) is the sole shareholder of the Corporation; and,

Whereas the Sole Shareholder by a Shareholder Declaration dated November 1, 2000 appointed the Mayor as its legal representative for the purpose of communicating any shareholder consent or approval required by either the terms of the Shareholder Declaration or the Business Corporations Act (Ontario) (the “OBCA”); and,

Whereas the Corporation owns a majority of the common shares of Newmarket-Tay Power Distribution Ltd. (“NT Power”) and Envi Networks Ltd. (“Envi”); and pursuant to s.102(2) of the OBCA where a body corporate is the shareholder of a corporation the corporation shall recognize any individual properly authorized by the body corporate to represent it at meetings of shareholders of the corporation; and,

Whereas pursuant to s.104 of the OBCA a written resolution dealing with all the matters required to be dealt with at a shareholders meeting and signed by the shareholders entitled to vote at that meeting satisfies all requirements of the OBCA relating to that meeting of shareholders;

Now therefore be it resolved by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the Mayor, as the Sole Shareholder's legal representative, is directed to sign the following Corporation Shareholder resolutions:
 - a. That the Corporation's financial statements for the financial year ended December 31, 2020 together with the report of the Corporation's auditors, Baker Tilly KDN LLP ("Baker Tilly"), Chartered Accountants, thereon dated May 19, 2021 be approved and adopted; and,
 - b. That Baker Tilly, Chartered Accountants, be appointed auditors of the Corporation to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the sole director and the sole director is authorized to fix such remuneration; and,
 - c. That Ian McDougall, be appointed as the sole director of the Corporation to hold office until the next annual meeting of shareholders or until his successor is elected or appointed; and
 - d. That Ian McDougall, so long as he is the sole director of the Corporation, shall represent the Corporation at meetings of shareholders of NT Power and Envi; and,
 - e. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the sole director and sole officer of the Corporation to December 31, 2020, as the same are set out or referred to in the resolutions of the sole director, or in the financial statements of the corporation, are approved, sanctioned and confirmed; and,
2. That the Mayor, as the Sole Shareholder's legal representative, direct Ian McDougall, the sole director and legal representative of the Corporation, to sign the following NT Power shareholder resolutions in lieu of an annual meeting:
 - a. That the financial statements of NT Power for the financial year ended December 31, 2020 together with the report of NT Power's auditors, Baker Tilly, thereon dated April 28, 2021 be approved and adopted; and,
 - b. That Baker Tilly, Chartered Accountants, be appointed auditors of NT Power to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration; and,

- c. That J. Taylor, T. Walker, D. Charleson, B. Gabel, C. Prattas, D. Priore, and, D. Wattling are elected directors of NT Power to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,
 - d. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of NT Power to December 31, 2020, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of NT Power, are approved, sanctioned and confirmed; and,
3. That the Mayor, as the Sole Shareholder's legal representative, direct Ian McDougall, the sole director and legal representative of the Corporation, to sign the following Envi shareholder resolutions in lieu of an annual meeting:
- a. That the financial statements of Envi for the financial year ended December 31, 2020 together with the report of Envi's auditors, Baker Tilly, thereon dated April 8, 2021 be approved and adopted; and,
 - b. That Baker Tilly, Chartered Accountants, be appointed auditors of Envi to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration; and,
 - c. That I. Collins, J. Piercy, and B. Kwapis are elected directors of Envi to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and,
 - d. That all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of Envi to December 31, 2020, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of Envi, are approved, sanctioned and confirmed.

Carried

6.2 Urban Design Guidelines

An alternate motion was presented and noted below in bold.

Moved by: Councillor Morrison

Seconded by: Councillor Broome

1. **That the presentation provided by Matt Reid, Fotenn Planning + Design regarding Urban Design Guidelines be received; and,**
2. That the report entitled Urban Design Guidelines dated August 23, 2021 be received; and,
3. That Council approve Attachment 1 to this report titled “Town of Newmarket Urban Design Guidelines” prepared by Fotenn Planning + Design, **as amended**; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.3 Ontario Ministry of the Environment, Conservation and Parks NPC-300 Guideline 17645 Yonge Street

Moved by: Councillor Morrison

Seconded by: Councillor Kwapis

1. That the report entitled Ontario Ministry of the Environment, Conservation and Parks NPC-300 Guideline – 17645 Yonge St dated August 23 2021 be received; and,
2. That the designation of 17645 Yonge St to a Class 4 Noise Area be approved; and,
3. That Council approve the By-law, substantially in accordance with Attachment 1, authorizing the designation; and,
4. That Redwood Properties, 330 New Huntington Rd, Suite 201, Vaughan ON L4H 4C9, be notified of this action; and,

5. That Groundswell Urban Planners Inc. 30 West Beaver Creek Rd Unit 109, Richmond Hill ON L4B 3K1, be notified of this action; and,
6. That the owners of 17725 Yonge Street and their tenant, Food Basics, be notified of this action; and
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.4 Q2 of 2021 Financial Update

1. That the report entitled Q2 of 2021 Financial Update be received; and,
2. That \$120,000 be added to 2021 capital project “Stormwater Management Clean Outs/Retrofits Cleaning Program to be funded from the Stormwater reserve, revising the approved budget from \$450,000 to \$570,000; and
3. That Council approve reallocation of 2021 capital programs totaling \$1,724,000 based on revised project delivery timelines as outlined in the report, of which \$1,614,000 will be reallocated as part of the 2022 capital program; and,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

6.5 2022 Meeting Schedules and Restricted Acts in a Municipal Election Year

1. That the report entitled 2022 Meeting Schedules and Restricted Acts in a Municipal Election Year dated August 23, 2021 be received; and,
2. That the 2022 Committee of the Whole and Council Meeting Schedule (Attachment A) be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6.6 Hybrid Meeting Policy

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the report entitled Hybrid Meeting Policy dated August 23, 2021 be received; and,
2. That Council approve the **Pilot** Hybrid Meeting Policy attached as Attachment 1 and rescind the Electronic Participation in Meetings Policy; and,
3. That the proposed amendment to the Town of Newmarket's Procedure By-law 2020-12 to permit electronic participation after December 31, 2021 as outlined in Attachment 2 of this report be approved; and,
4. That the Town Clerk be authorized to administer the **Pilot** Hybrid Meeting Policy and develop the necessary Procedures to implement the Policy, as required; and,
5. That staff be directed to report back to Council in **Q1 2023** with a review of the **Pilot** Hybrid Meeting Policy, as part of the Procedure By-law Review; and,
6. That beginning with the Committee of the Whole meeting of October 25, 2021 or as determined by the Mayor and Chief Administrative Officer, staff be directed to facilitate meetings in a hybrid manner with in-person and remote Members of Council, Staff and the public; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.7 Second Quarterly Update to the Outstanding Matters List for 2021

1. That the report entitled Second Quarterly Update to the Outstanding Matters List for 2021 dated August 23, 2021 be received; and,
2. That Council adopt the Outstanding Matters List (Attachment A); and,

3. That Staff be authorized and directed to do all things necessary to give effect to this resolution

6.8 Item 6.2 from Newmarket Public Library Board Meeting Minutes of May 19, 2021

The Strategic Leadership Team/Operational Leadership Team recommend:

Whereas public libraries are vibrant community hubs where residents of all ages and backgrounds can learn, work, train, innovate, explore and connect; and,

Whereas the Newmarket Public Library provides community members with equitable, reliable access to broadband internet; and,

Whereas the Newmarket Public Library uses technology to make resources more accessible and responsive to people's changing needs; and,

Whereas the Newmarket Public Library supports local economic development through the provision of important business development and job skills programming for adults and youth; and,

Whereas the Newmarket Public Library works closely with local residents to deliver valued programs and services and shares knowledge and resources; and,

Whereas the Newmarket Public Library continues to responsibly manage public resources with the utmost care and is committed to the sustainability of its services; and,

Whereas the Newmarket Public Library recognizes the opportunity that targeted provincial investment can provide to secure more equitable access to increasingly significant digital resources and library-based services across Ontario;

Now therefore be it resolved:

1. That the Town of Newmarket encourages the Province of Ontario to continue to recognize and support the contribution of local libraries within their communities; and,
2. That the Town of Newmarket encourages the Province of Ontario to maintain existing funding for Ontario's public libraries; and,

3. That the Town of Newmarket encourages the Province of Ontario to make a new, ongoing, targeted annual investment to strengthen access to modern, cost-effective digital resources and services for all Ontarians through local public libraries; and,
4. That a copy of this resolution be sent to the Ontario Minister of Heritage, Sport, Tourism, and Culture Industries, to the Ontario Minister of Municipal Affairs, to the local MPPs, to the Association of Municipalities Ontario, to the Ontario Library Association, to the Federation of Ontario Public Libraries, and to York Region and local area municipalities for endorsement.

6.9 Newmarket Public Library Board Meeting Minutes of May 19, 2021

1. That the Newmarket Public Library Board Meeting Minutes of May 19, 2021 be received.

6.10 Item 6.1 from June 1, 2021 Heritage Newmarket Advisory Committee Meeting Minutes

The Strategic Leadership Team/Operational Leadership Team recommend that the following be referred to staff:

1. That the Heritage Newmarket Advisory Committee recommend heritage designation of the property located at 415 Davis Drive.

6.11 Heritage Newmarket Advisory Committee Meeting Minutes of June 1, 2021

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of June 1, 2021 be received.

6.12 Newmarket Economic Development Advisory Committee Meeting Minutes of October 7, 2020

1. That the Newmarket Economic Development Advisory Committee Meeting Minutes of October 7, 2020 be received.

6.13 Main Street District Business Improvement Area Board of Management Meeting Minutes of May 7, 2021

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of May 7, 2021 be received.

6.14 Newmarket Anti-Black Racism Task Force Meeting Minutes of May 4, 2021 and June 1, 2021

1. That the Newmarket Anti-Black Racism Task Force Meeting Minutes of May 4, 2021 and June 1, 2021 be received.

7. Action Items

None.

8. Notices of Motion

None.

9. Motions Where Notice has Already been Provided

None.

10. New Business

10.1 Main Street Garbage Pilot Program

Councillor Kwapis asked for an update on the Main Street in-ground garbage pilot program and the opportunity to expand it to the west side of Main Street near Old Town Hall. The Commissioner of Development and Infrastructure Services advised that the downtown waste management strategy study has been suspended due to the pandemic and that an update would be provided in 2022 when available.

10.2 LED Lighting at Ray Twinney Complex

Councillor Bisanz advised of resident concerns regarding the new LED lighting at the Ray Twinney Complex. The Director of Public Works Services advised that Staff were working with the appropriate contractor and would provide the Councillor with an update.

10.3 Garbage Issue at Town of Newmarket Parks

Councillor Broome advised of resident concerns regarding garbage issues at various parks around Town, specifically Dr. Margaret Arkinstall. The Director of Public Works Services advised that Staff were aware of the issue and that a strategy had been developed to address and monitor the garbage.

10.4 Dr. Margaret Arkinstall Splashpad

Councillor Broome advised that the splashpad would be closed ahead of the others in Town to allow for updates and construction to occur, and asked Staff to ensure that the dates are communicated to the residents appropriately. The Commissioner of Development and Infrastructure Services provided an update on the timeline and advised that a later closure would be investigated.

11. Closed Session

11.1 Newmarket-Tay Power and ENVI Financial Statements

Moved by: Councillor Kwapis

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the Committee of the Whole resolve into Closed Session to discuss the following matter:
 - a. Newmarket-Tay Power and ENVI Financial Statements - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, as per Section 239 (2)(i) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 1:07 PM.
The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Committee of the Whole resumed into Open Session at 1:18 PM.

11.2 Proposed Acquisition and Disposition of Land – Property in Ward 6

11.3 Vaccination Requirements/Policies

Moved by: Councillor Broome

Seconded by: Councillor Simon

1. That the Committee of the Whole resolve into Closed Session to discuss the following matters:
 - a. Proposed Acquisition and Disposition of Land – Property in Ward 6 - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, as per Section 239 (2)(i) of the Municipal Act, 2001.
 - b. Vaccination Requirements/Policies - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as per Section 239 (2)(f) of the Municipal Act, 2001.

Carried

The Committee of the Whole resolved into Closed Session at 3:57 PM.
The Committee of the Whole (Closed Session) Minutes are recorded under separate cover.

The Committee of the Whole resumed into Open Session at 4:37 PM.

12. Adjournment

Mayor Taylor advised that there was no requirement for the Special Council - Electronic meeting immediately following.

Moved by: Councillor Morrison

Seconded by: Councillor Kwapis

1. That the meeting be adjourned 4:38 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Annual General Meeting

NEWMARKET HYDRO HOLDINGS INC.






Required Motions

- Approval of Financial Statements
- Approval of Auditors
- Approval of Directors
- Approval of Past Acts



2020 Year in Review

- Covid 19
- One Company
- Distribution System Plan Approval



Covid-19 Impacts

- Continued Closure of NT Power to the Public
- Continued Flexible Work Options for Staff
- Decrease in Gross Income (\$1.5MM)
- Increase in Bad Debt (\$300K)
- Stable Net Income (Exp & Tax)



One Company

- Re-organization of Corporate Structure
- Integration of Corporate Financial System
- Integration of Corporate HRIS System
- Integration of GIS System
- Integration of Corporate Information System



Distribution System Plan

- 2020 – 2024 DSP Submission & Approval
- \$15MM increase in capital spending
- Main areas of focus – Poles, underground conductors, Stations, Customer Additions and IT



Looking Ahead

- Covid - 19
- One Company
- Ramp up Asset Replacement
- Develop and Attract People
- Continuous Improvement

Business Review

- 180+ Customers Contracted to date
- 160 Connections installed to date
- Approximately 25 KM of fibre built to date
- Product Offering includes ONNET fibre, OFFNET fibre, and Voice services

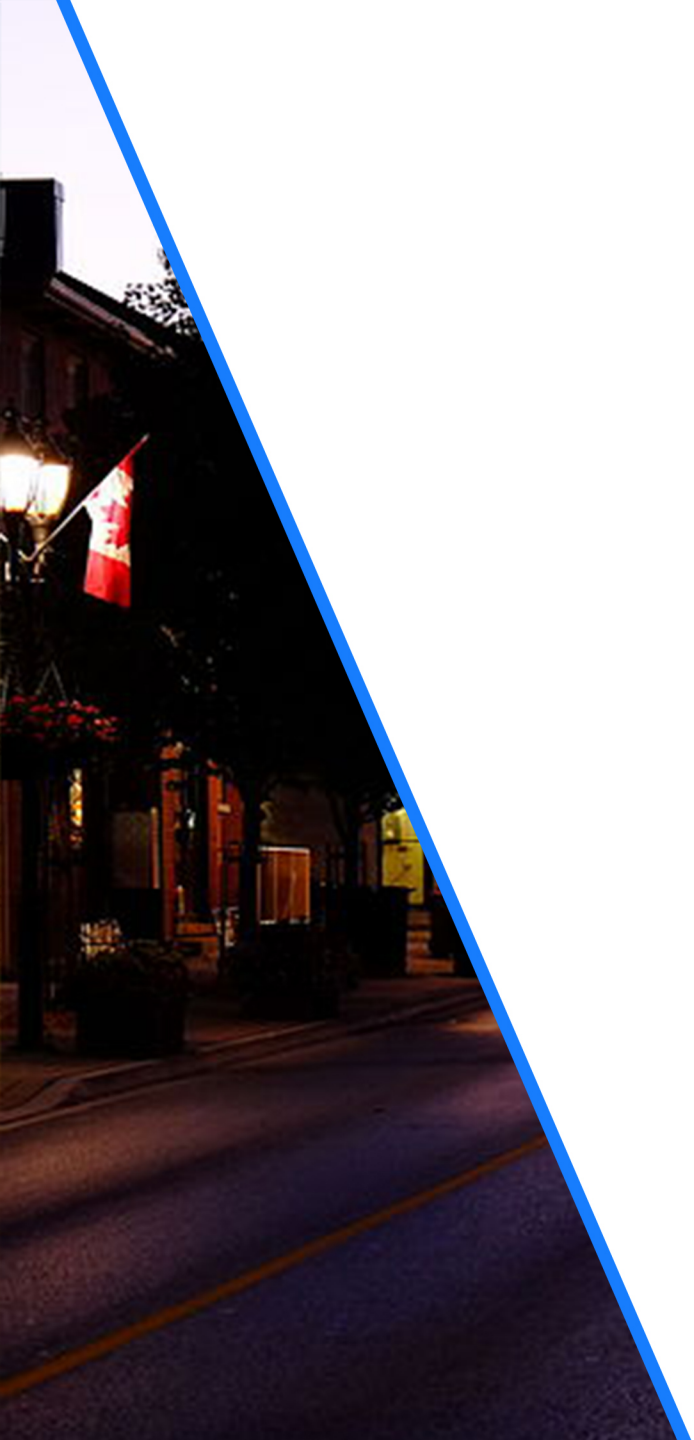
COVID-19 Impacts

- Employees continued to work remotely
- Sales and Customer Installs
- Impact on Financials
 - Revenue
 - Costs
 - Accounts Receivable
- Government Programs

Looking Ahead

- Covid re-opening impact
- ONNET Sales Focus
- UBF Funding Application
- Business Financing Opportunities

Questions



Town of Newmarket

Urban Design Guidelines

Committee of the Whole Meeting
August 23, 2021



Presentation Outline

Process & Guideline Overview

Engagement Summary

- Fall, 2020
- Summer, 2021

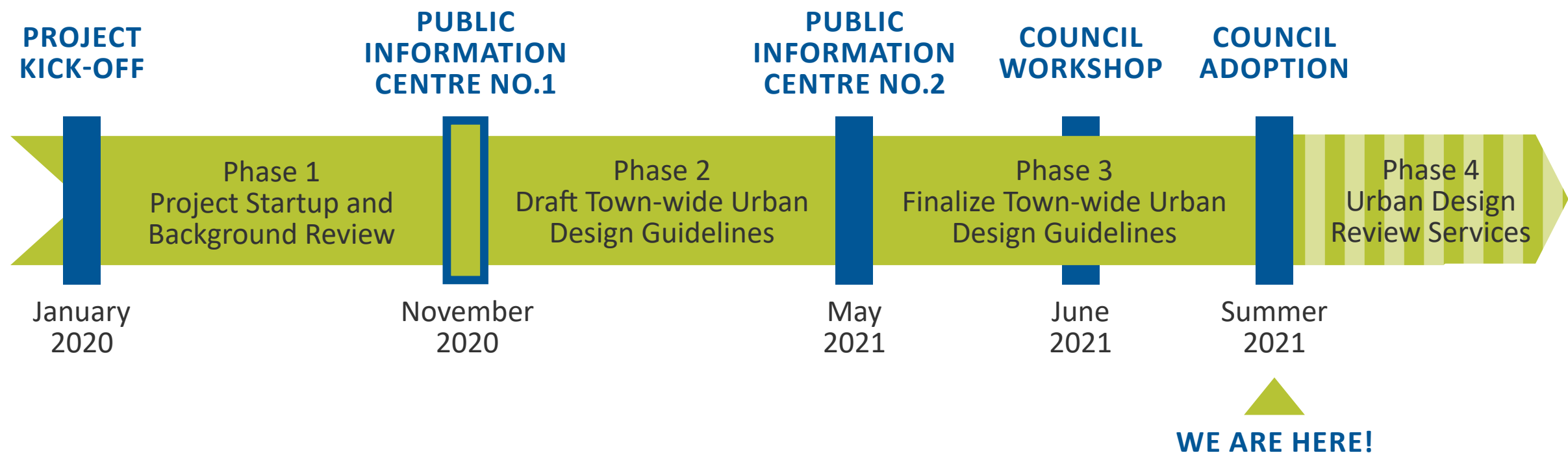
Demonstration Sites

- Purpose
- Large Site on an Arterial Road
- Gateway on a Commercial Street
- Residential Infill



Process & Guideline Overview

Project Timeline



Process & Guideline Overview

Guideline Application

Applies to all development Applications
across the Town



LOW-RISE BUILDINGS

4 Storeys or Lower



MID-RISE BUILDINGS

5-11 Storeys



HIGH-RISE BUILDINGS

12 Storeys and Higher



PRIVATELY OWNED PUBLIC SPACES (POPS)

Process & Guideline Overview

Design Objectives



Fit Harmoniously into the Established Context



Mitigate impacts on adjacent properties



Create attractive, human-scaled buildings



Support walkability and active transportation



Minimize vehicle presence in the public realm



Promote vibrant streets



Provide amenity space for all residents



Ensure safety and accessibility for all

Process & Guideline Overview

Intent-Driven Approach

Flexible and Intent-Driven

- Organized by Design Objectives
- Articulates the **‘intent’** of each guideline
- Alternative solutions may be appropriate
- Onus is on the developer to demonstrate how intent is achieved



Engagement Summary

Fall, 2020

PIC # 1 (Nov 10, 2020)

- Introduce the Project
- Urban Design Overview
- YouTube Presentation (300+ Views)
- Visual Preference Survey (HeyNewmarket.ca)

Findings used to inform guidelines (i.e. height and scale)

| Guideline Typology | Design Elements | Visual Preference Survey |
|---|---|--|
| Low-Rise Buildings  | The most important things to consider include: <ul style="list-style-type: none"> - Neighbourhood Character - Driveway and Garage Location - Privacy/Overlook - Building Height and Massing | Of the images presented, participant responses favoured: <ul style="list-style-type: none"> - A modest scale and density - A variety of design styles (traditional, contemporary, etc.) - Complementary building styles - High-quality materials and features - Well landscaped properties - Parking hidden from street - Large, numerous windows - Connection to the street (i.e. front-yard entrances and patios) - Ease of accessibility (i.e. minimal steps) |
| Mid-Rise Buildings  | The most important things to consider include: <ul style="list-style-type: none"> - Building Design and Articulation - Relationship to Adjacent Properties - Building Height and Massing - Sun Access and Sky Views - Ground Floor Design | Of the images presented, participant responses favoured: <ul style="list-style-type: none"> - Greater scale and density - Buildings that reflected their context - Human-scaled massing (i.e. podium) - Well articulated buildings (i.e. stepbacks, terraces, etc.) - A mix of uses (i.e. ground level retail) - Energy efficient buildings (i.e. limited glass) - Well landscaped properties - Parking hidden from street - Private patio and amenity spaces |

Engagement Summary Summer, 2021

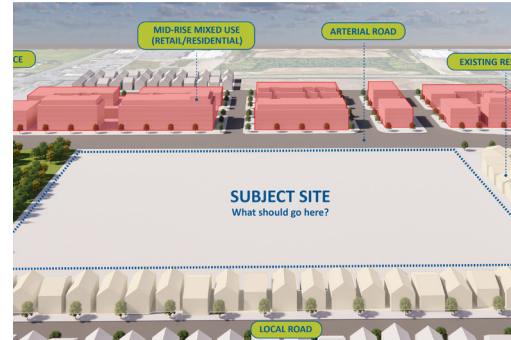
PIC # 2 (May 27, 2021)

- Present the Guidelines
- Answer Questions and Receive Public Feedback
- Demonstration Sites Activity (HeyNewmarket.ca)

Council Workshop (June 28, 2021)

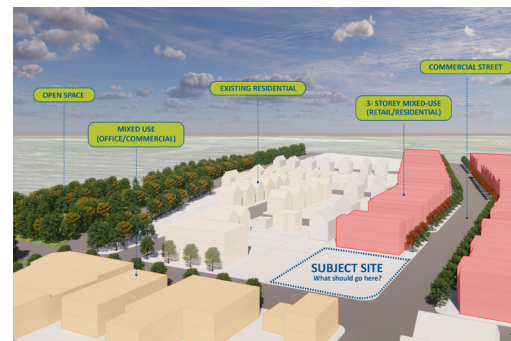
BILD Review (July, 2021)

Findings used to further refine guidelines and inform Demonstration Sites



Demonstration Site # 1 Large Site on an Arterial Road

- Provide connected green space (i.e natural areas, parks, community gardens, etc.)
- Pull adjacent green space into the site
- Mid-rise, mixed-use buildings on Arterial Road with no shadow impacts
- Wide, pedestrian sidewalks on Arterial Road
- Townhouses to transition to adjacent residential
- Provide parking for local amenities



Demonstration Site # 2 Gateway Site on a Commercial Street

- Continue with a continuous row of mixed-use buildings
- Low-rise buildings to complement the existing character
- Provide green space to complement the mix of uses in the area



Demonstration Site # 3 Residential Infill Site

- Provide 3 to 4-storey townhouses to complement the existing character
- Provide additional green space for local residents
- Provide neighbourhood amenities (i.e. splash pad, playground, etc.)

Demonstration Sites

Purpose

Represent Three Hypothetical Scenarios

Illustrate Broader Application of Guidelines

- Interface between typologies
- Relation to existing context
- Parks and open spaces
- Pedestrian networks

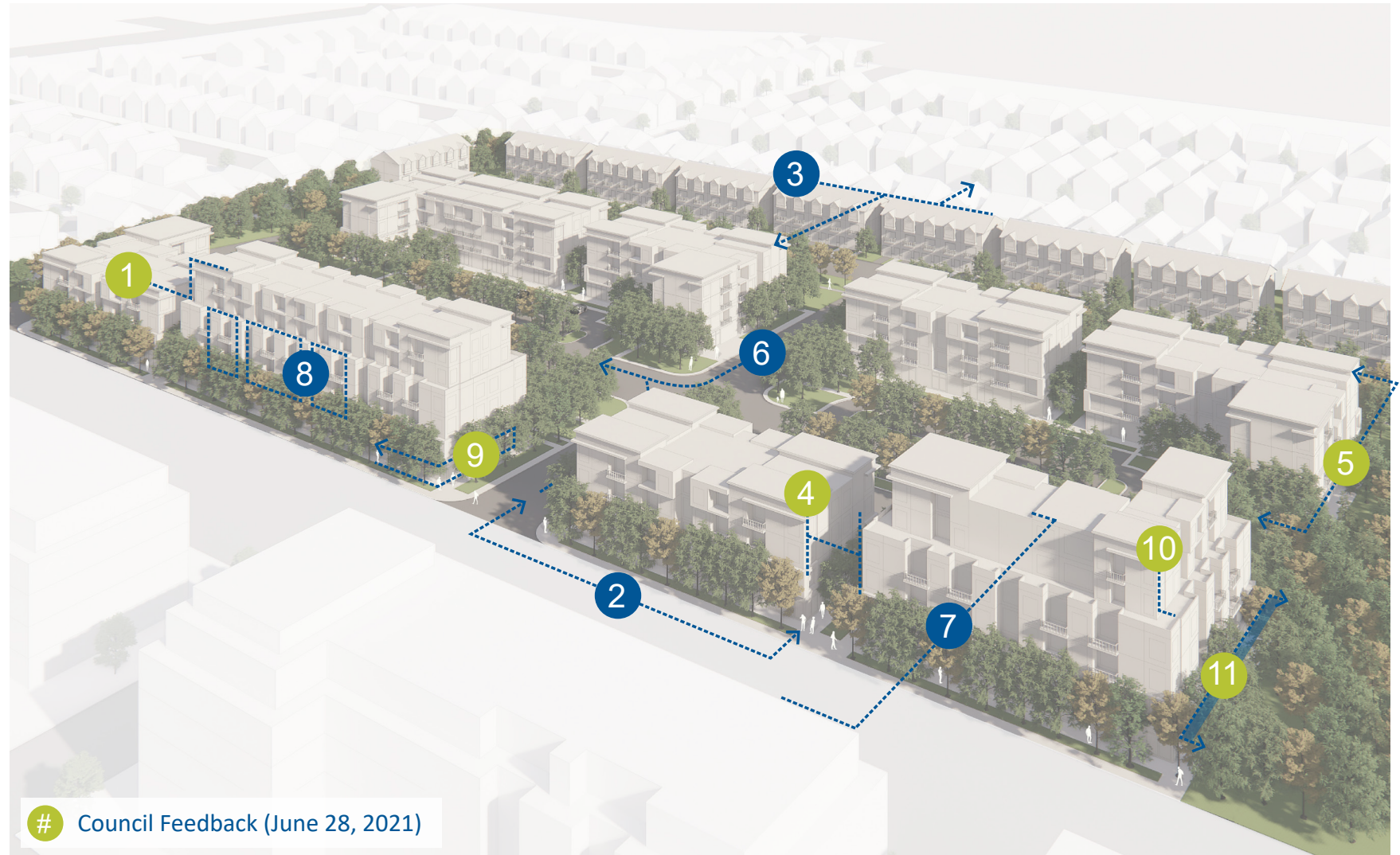
Do Not Represent the Right or Only Solution



Demonstration Sites

1: Large Site on an Arterial Road

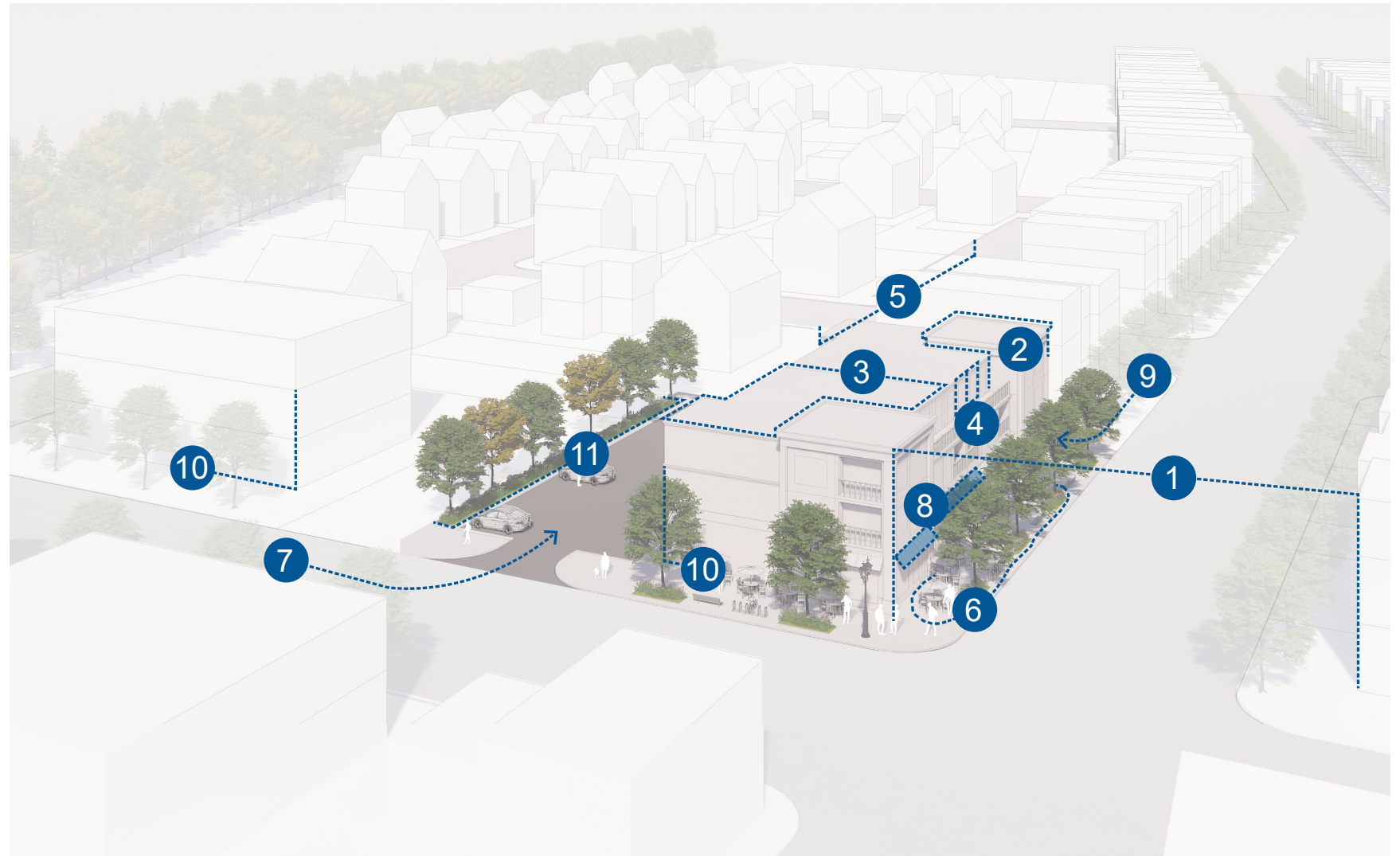
- 1 Stepbacks and height reductions provide *height transitions* between adjacent uses.
- 2 Internal streets and pedestrian mews used to create small, permeable blocks.
- 3 Townhouses provide a transition between mid-rise and existing neighbourhoods.
- 4 Ample spacing between buildings *mitigates shadows* and maximizes privacy.
- 5 Street trees, wide-sidewalks and a linear park *'pull' the adjacent park into the site.*
- 6 Parking, servicing and loading located at the rear of buildings where it is not visible.
- 7 New mid-rise buildings reflect the scale established by existing buildings.
- 8 Larger buildings are articulated to reflect the smaller-scale adjacent neighbourhoods.
- 9 *Active at-grade uses* (i.e. retail) support active streets and provide local amenities.
- 10 Building stepbacks create a human-scale podium and *mitigate shadows* on the park.
- 11 Active uses wrap the corner and provide *'spill-out' opportunities on the park.*



Demonstration Sites

2: Gateway Site on a Commercial Street

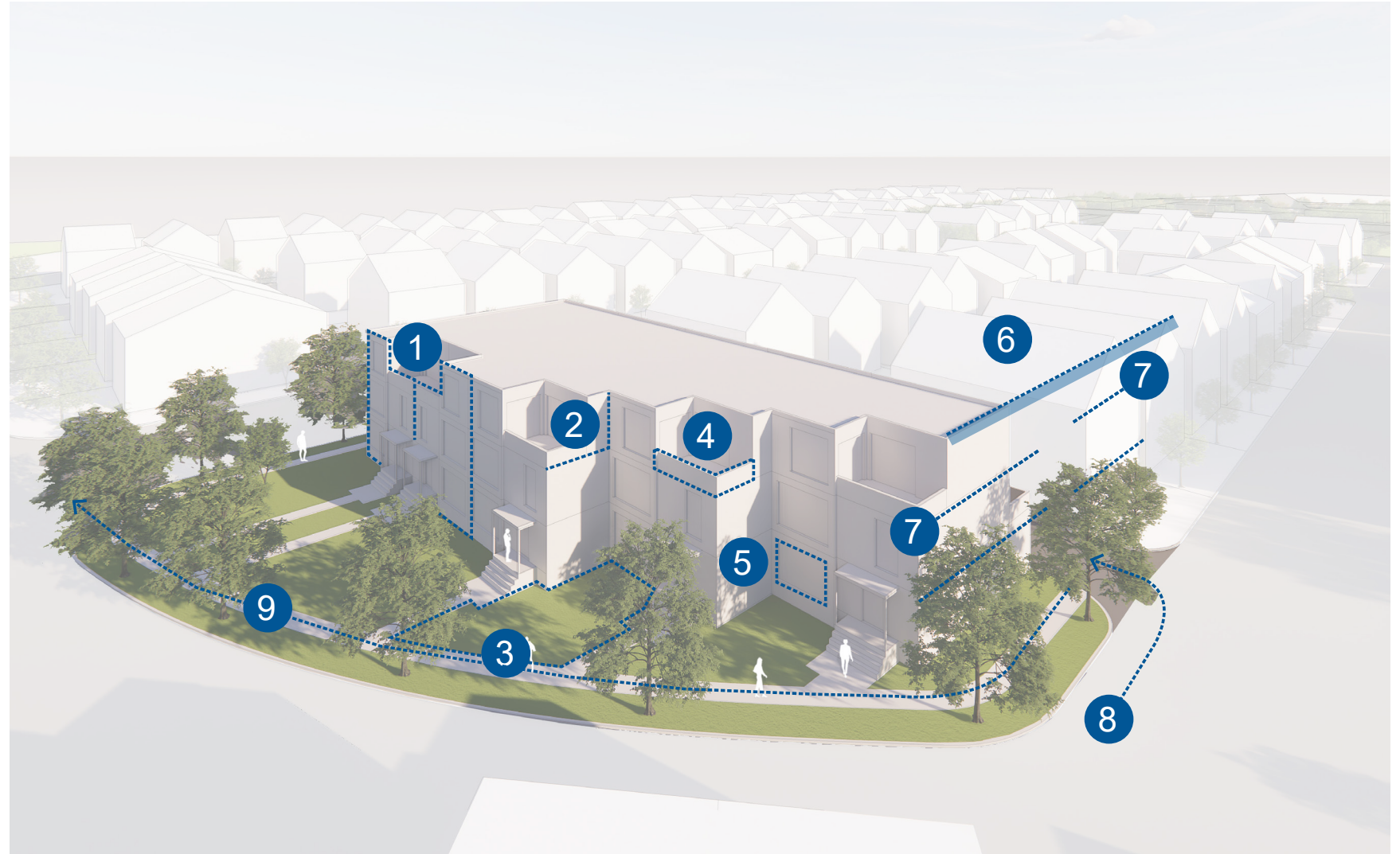
- 1 Building height frames the street and reflects the established low-rise context.
- 2 Articulation and unique building forms reinforce the important gateway location.
- 3 Smaller building units reflect the tight-knit fabric that characterizes the street.
- 4 Residential uses above grade provide opportunities for 'eyes on the street.'
- 5 Building height creates a continuous, human-scaled streetscape.
- 6 Wide sidewalks accommodate active, at-grade uses with 'spill out' amenities.
- 7 Parking, servicing and loading located at the rear of buildings where it is not visible.
- 8 Continuous weather-protection provided at the building edge.
- 9 Well-spaced buildings promote permeable block and pedestrian mews.
- 10 New buildings reinforce the streetwall established by existing buildings.
- 11 Trees and landscaping provide a buffer between surface parking and adjacent uses.



Demonstration Sites

3: Residential Infill Site

- 1 Well-articulated townhouse units reflect the scale of the adjacent neighbourhood.
- 2 Stepbacks and/or articulation of the upper floors reinforce a human-scale at grade.
- 3 Front- and side-yard setbacks provide amenity space and landscaping areas.
- 4 Upper-storey terraces allow for outdoor amenity space for residents.
- 5 Large front windows with active internal uses create 'eyes on the street.'
- 6 Townhouse height reflects the adjacent residential neighbourhood.
- 7 Townhouse units reflect established datum lines (i.e. floor height, windows, porches).
- 8 Rear-yard garage access to minimize the visual impact of vehicles.
- 9 Rear-yard parking allows for a continuous sidewalk with no curb-cuts.



THANK YOU

**CONSOLIDATED
FINANCIAL STATEMENTS OF**

**NEWMARKET HYDRO HOLDINGS
INC.**

December 31, 2020

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INDEPENDENT AUDITOR'S REPORT

To the Shareholders of
Newmarket Hydro Holdings Inc.

Report on the Audit of the Consolidated Financial Statements

Opinion

We have audited the consolidated financial statements of Newmarket Hydro Holdings Inc., which comprise the consolidated statement of financial position as at December 31, 2020, and the consolidated statements of changes in equity and accumulated other comprehensive loss, income, comprehensive income and cash flows for the year then ended, and notes to the consolidated financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the consolidated financial position of the company as at December 31, 2020, and its consolidated financial performance and its consolidated cash flows for the year then ended in accordance with International Financial Reporting Standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Consolidated Financial Statements section of our report. We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with International Financial Reporting Standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the company or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the company's financial reporting process.

Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

ASSURANCE • TAX • ADVISORY

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INDEPENDENT AUDITOR'S REPORT, continued

- ♦ Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- ♦ Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the company's internal control.
- ♦ Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- ♦ Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the company to cease to continue as a going concern.
- ♦ Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- ♦ Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the company to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Baker Tilly KDN LLP

Chartered Professional Accountants
Licensed Public Accountants

Peterborough, Ontario
May 19, 2021

NEWMARKET HYDRO HOLDINGS INC.
CONSOLIDATED STATEMENT OF FINANCIAL POSITION
As at December 31, 2020

| | 2020 | 2019 |
|---|--------------------|--------------------|
| | \$ | \$ |
| ASSETS | | |
| Current assets | | |
| Cash (note 5) | 2,799,412 | 4,331,113 |
| Short term investment (note 6) | 25,655 | 25,475 |
| Accounts receivable (note 7) | 19,196,212 | 16,591,912 |
| Unbilled revenue | 12,059,702 | 12,167,593 |
| Inventories | 1,164,918 | 1,059,688 |
| Prepaid expenses and sundry assets | 653,173 | 587,143 |
| Income taxes receivable | 838,028 | 3,590,844 |
| | 36,737,100 | 38,353,768 |
| Other assets | | |
| Prepaid and sundry assets | 25,501 | 54,092 |
| Investments (note 8) | 146,228 | 172,647 |
| Property, plant and equipment (note 9) | 113,914,549 | 111,798,796 |
| Right-of-use assets (note 23) | 1,798,055 | 2,346,512 |
| Intangible assets (note 10) | 7,930,217 | 7,907,944 |
| Goodwill (note 11) | 6,864,284 | 6,864,284 |
| Deferred income taxes (note 12) | 2,175,729 | 1,598,184 |
| | 132,854,563 | 130,742,459 |
| | 169,591,663 | 169,096,227 |
| Regulatory deferral account debit balances (note 13) | 3,637,201 | 3,915,952 |
| | 173,228,864 | 173,012,179 |

The accompanying notes are an integral part of these financial statements

NEWMARKET HYDRO HOLDINGS INC.
CONSOLIDATED STATEMENT OF FINANCIAL POSITION, continued
As at December 31, 2020

| | 2020 | 2019 |
|--|--------------------|--------------------|
| | \$ | \$ |
| LIABILITIES AND EQUITY | | |
| Current liabilities | | |
| Accounts payable and accrued liabilities (note 14) | 22,320,871 | 19,410,005 |
| Bank loan (note 15) | 2,750,000 | 2,050,000 |
| Due to related party (note 16) | 24,388 | - |
| Current portion of long-term debt (note 17) | 2,609,758 | 6,986,701 |
| Current portion of deposits held (note 21) | 856,811 | 905,816 |
| | 28,561,828 | 29,352,522 |
| Long-term liabilities | | |
| Long-term debt (note 17) | 20,516,378 | 21,086,137 |
| Interest rate swaps (note 18) | 3,762,123 | 2,086,817 |
| Subordinate debt (note 19) | 23,742,821 | 23,742,821 |
| Contributed capital (note 20) | 37,887,603 | 37,727,229 |
| Deferred income taxes (note 12) | - | 2,092,382 |
| Deposits held (note 21) | 2,668,949 | 2,346,650 |
| Employee future benefits (note 22) | 1,697,623 | 1,565,894 |
| Lease liability (note 23) | 1,831,048 | 2,341,681 |
| | 92,106,545 | 92,989,611 |
| | 120,668,373 | 122,342,133 |
| Equity | | |
| Equity of the owners of the parent | | |
| Share capital (note 24) | 29,609,342 | 29,609,342 |
| Retained earnings | 16,519,607 | 16,350,083 |
| Accumulated other comprehensive loss | (130,519) | (48,808) |
| | 45,998,430 | 45,910,617 |
| Non-controlling interest (note 25) | 3,180,956 | 3,193,391 |
| | 49,179,386 | 49,104,008 |
| | 169,847,759 | 171,446,141 |
| Regulatory deferral account credit balances (note 13) | 3,381,105 | 1,566,038 |
| | 173,228,864 | 173,012,179 |

Approved on behalf of the Board

Director

Director

The accompanying notes are an integral part of these financial statements

NEWMARKET HYDRO HOLDINGS INC.

CONSOLIDATED STATEMENT OF CHANGES IN EQUITY AND ACCUMULATED OTHER COMPREHENSIVE LOSS

For the year ended December 31, 2020

| | Share capital \$ | Retained earnings \$ | Accumulated other comprehensive income \$ | Total equity before non-controlling interest \$ | Non-controlling interest \$ | Total equity \$ |
|-----------------------------------|---------------------|-------------------------|--|--|--------------------------------|--------------------|
| Balance, December 31, 2018 | 29,609,342 | 18,148,244 | 30,665 | 47,788,251 | 3,502,397 | 51,290,648 |
| Net loss for the year | - | (462,161) | - | (462,161) | (81,071) | (543,232) |
| Other comprehensive loss | - | - | (79,473) | (79,473) | (5,982) | (85,455) |
| Dividends paid | - | (1,336,000) | - | (1,336,000) | (101,000) | (1,437,000) |
| Balance, December 31, 2019 | 29,609,342 | 16,350,083 | (48,808) | 45,910,617 | 3,193,391 | 49,104,008 |
| Net income for the year | - | 1,505,524 | - | 1,505,524 | 94,715 | 1,600,239 |
| Other comprehensive loss | - | - | (81,711) | (81,711) | (6,150) | (87,861) |
| Dividends paid | - | (1,336,000) | - | (1,336,000) | (101,000) | (1,437,000) |
| Balance, December 31, 2020 | 29,609,342 | 16,519,607 | (130,519) | 45,998,430 | 3,180,956 | 49,179,386 |

The accompanying notes are an integral part of these financial statements

NEWMARKET HYDRO HOLDINGS INC.**CONSOLIDATED STATEMENT OF INCOME**

For the year ended December 31, 2020

| | 2020 | 2019 |
|---|-------------|-------------|
| | \$ | \$ |
| Revenue | | |
| Distribution revenue | 20,990,368 | 21,248,236 |
| Cost of power revenue | 118,150,153 | 102,658,368 |
| Internet revenue | 450,817 | 196,016 |
| | 139,591,338 | 124,102,620 |
| Cost of power purchased | | |
| Cost of power purchased | 118,492,236 | 98,168,972 |
| Internet direct costs | 246,753 | 151,304 |
| | 118,738,989 | 98,320,276 |
| Gross profit | 20,852,349 | 25,782,344 |
| Other income (note 26) | 1,712,986 | 2,643,345 |
| Gross income from operations | 22,565,335 | 28,425,689 |
| Expenses | | |
| Amortization | 5,199,989 | 5,616,895 |
| Operating expenses (note 27) | 13,298,593 | 13,756,994 |
| Loss on disposal of property, plant and equipment | 457,627 | 205,578 |
| Loss on interest rate swap (note 18) | 1,675,306 | 790,066 |
| | 20,631,515 | 20,369,533 |
| Income before undernoted items and income taxes | 1,933,820 | 8,056,156 |
| Finance costs (income) | | |
| Finance income (note 28) | (407,628) | (424,473) |
| Government grants | (74,845) | - |
| Finance costs (note 28) | 2,601,165 | 2,746,996 |
| | 2,118,692 | 2,322,523 |
| Income (loss) before income taxes and net movement on regulatory accounts, net of deferred tax | (184,872) | 5,733,633 |
| Provision for (recovery of) income taxes (note 12) | | |
| Current | 13,056 | 23,558 |
| Deferred | (2,638,249) | (128,862) |
| | (2,625,193) | (105,304) |
| Income before net movement on regulatory accounts, net of deferred tax | 2,440,321 | 5,838,937 |
| Net movement on regulatory accounts, net of deferred tax | (840,082) | (6,382,169) |
| Net income (Net loss) for the year | 1,600,239 | (543,232) |
| Attributable to | | |
| Owners of the parent | 1,505,524 | (462,161) |
| Non-controlling interests | 94,715 | (81,071) |
| | 1,600,239 | (543,232) |

The accompanying notes are an integral part of these financial statements

NEWMARKET HYDRO HOLDINGS INC.
CONSOLIDATED STATEMENT OF COMPREHENSIVE INCOME
For the year ended December 31, 2020

| | 2020 | 2019 |
|---|-----------|-----------|
| | \$ | \$ |
| Net income (Net loss) for the year | 1,600,239 | (543,232) |
| Comprehensive loss | | |
| Actuarial loss, not reclassified to net income | (119,539) | (116,266) |
| Actuarial loss related deferred income tax not reclassified to net income | 31,678 | 30,811 |
| Net income and comprehensive income for the year | 1,512,378 | (628,687) |
| Attributable to | | |
| Owners of the parent | 1,423,813 | (541,634) |
| Non-controlling interests | 88,565 | (87,053) |
| | 1,512,378 | (628,687) |

The accompanying notes are an integral part of these financial statements

NEWMARKET HYDRO HOLDINGS INC.
CONSOLIDATED STATEMENT OF CASH FLOWS
For the year ended December 31, 2020

| | 2020 | 2019 |
|---|--------------------|------------------|
| | \$ | \$ |
| CASH PROVIDED FROM (USED FOR) | | |
| Operating activities | | |
| Net income (Net loss) for the year | 1,600,239 | (543,232) |
| Items not affecting cash | | |
| Amortization of property, plant and equipment | 4,996,466 | 5,300,990 |
| Amortization of intangible asset | 81,448 | 285,457 |
| Amortization of right-of-use assets | 407,912 | 359,205 |
| Deferred income taxes | (2,638,249) | (128,862) |
| Loss on disposal of property, plant and equipment | 457,627 | 205,578 |
| Change in employee future benefits | 12,190 | 292,623 |
| Current income tax | 13,056 | 23,558 |
| Net finance costs | 2,193,537 | 2,322,523 |
| Recognition of contributed capital | (994,358) | (944,042) |
| Loss on interest rate swap | 1,675,306 | 790,066 |
| Ecobility Inc. equity investment | (204,977) | (285,121) |
| | 7,600,197 | 7,678,743 |
| Change in non-cash working capital items (note 29) | 3,716,678 | 2,232,115 |
| | 11,316,875 | 9,910,858 |
| Investing activities | | |
| Purchase of investments | - | (5,339) |
| Purchase of property, plant and equipment | (7,589,703) | (6,644,340) |
| Proceeds on disposal of property, plant and equipment | 19,857 | 12,589 |
| Change in regulatory deferral accounts | 2,093,818 | 5,023,070 |
| Proceeds of contributed capital | 1,154,732 | 3,063,154 |
| Purchase of intangible assets | (103,721) | (179,466) |
| | (4,425,017) | 1,269,668 |
| Financing activities | | |
| Bank indebtedness | - | (2,037,029) |
| Repayment of long-term debt | (4,986,702) | (1,232,266) |
| Proceeds of long-term debt | 40,000 | - |
| Repayment of lease liability | (370,088) | (364,035) |
| Interest paid | (2,601,165) | (2,746,996) |
| Increase in bank loan | 700,000 | 850,000 |
| Dividend received | 231,396 | 117,913 |
| Dividends paid | (1,437,000) | (1,437,000) |
| | (8,423,559) | (6,849,413) |
| Increase (decrease) in cash | (1,531,701) | 4,331,113 |
| Cash - beginning of year | 4,331,113 | - |
| Cash - end of year | 2,799,412 | 4,331,113 |

The accompanying notes are an integral part of these financial statements

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

1. NATURE OF OPERATIONS

Newmarket Hydro Holdings Inc. ("the Company") was incorporated April 10, 2000 under the Business Corporations Act of the Province of Ontario. The Company commenced operations on November 1, 2000. Newmarket Hydro Holdings Inc. is wholly-owned by the Town of Newmarket. The address of its registered office and its principal place of business is 590 Steven Ct, Newmarket, ON L3Y 6Z2.

The principal activity of the Company is to distribute electricity to the residents and businesses in the Town of Newmarket, the Town of Midland and the Township of Tay under licence issued by the Ontario Energy Board (OEB). The Company is regulated by the OEB and adjustments to its distribution rates require OEB approval.

The Company also offers high speed internet to the Newmarket community by providing its customers with the necessary infrastructure and equipment to utilize the service. The Company is looking to expand its operations into other surrounding local areas. The Company is regulated by the Canadian Radio-television Telecommunications Commission ("CRTC") and American Registry for Internet Numbers ("ARIN").

2. STATEMENT OF COMPLIANCE

The financial statements of the Company have been prepared in accordance with International Financial Reporting Standards ("IFRS") as issued by the International Accounting Standards Board ("IASB") and interpretations of the International Financial Reporting Interpretations Committee ("IFRIC").

The financial statements for the year ended December 31, 2020 were approved and authorized for issue by the board of directors on May 19, 2021.

3. BASIS OF CONSOLIDATION

The consolidated financial statements include the accounts of its subsidiaries Newmarket-Tay Power Distribution Ltd. and Envi Networks Ltd. Tay-Hydro Inc. has a 7% interest in Newmarket-Tay Power Distribution Ltd. and Envi Networks Ltd. All significant intercompany transactions and balances have been eliminated on consolidation.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES

These consolidated financial statements are prepared in accordance with International Financial Reporting Standards. The significant accounting policies are detailed as follows:

(a) Basis of measurement

The financial statements are prepared on the historical cost basis except for certain financial instruments which are measured at their fair values, as explained in the relevant accounting policies.

The consolidated financial statements are presented in Canadian dollars which is also the Company's functional currency.

(b) Electricity regulation

The Company is licensed and regulated by the Ontario Energy Board (OEB). The OEB is charged with the responsibility of approving rates for the transmission and distribution of electricity and the responsibility for ensuring that distribution companies fulfil obligations to connect and service customers.

The following regulatory policy is practiced in a rate regulated environment:

Regulatory accounts

Regulatory accounts represent future revenue or expenses incurred in the current or prior periods that are expected to be recovered (repaid) through the rate setting process.

These assets and liabilities include various rate and retail variance accounts which arise from differences in amounts billed to customers (based on regulated rates) and the actual cost of electricity services to the Company. These amounts are accumulated for accounting purposes because it is probable that they will be recovered (repaid) in future rates. The Company continually assesses the likelihood of the recovery of regulatory assets and likelihood or repayment of regulatory liabilities. If recovery or repayment is no longer considered probable, the amounts are charged to operations in the year the assessment is made.

Regulatory accounts recognized at December 31, 2020 and December 31, 2019 are disclosed in note 13.

(c) Revenue recognition

The Company recognizes revenue when it transfers control over a promised good or service, a performance obligation under the contract, to a customer and where the company is entitled to consideration as a result of completion or the performance obligation.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(c) Revenue recognition, continued

Distribution Revenue

Distribution revenue is measured based on the OEB approved rate and the meter readings for customer usage, net of sales tax and debt retirement charge. Distribution revenue also includes unbilled revenue accrued in respect of electricity delivered but not yet billed. Revenue is recognized as electricity is delivered and consumed by customers and measured.

Cost of Power Revenue

Cost of power revenue is recorded on the basis of the power billed by the Independent Electricity System Operator ("IESO").

Internet Revenue

Revenue is recognized when a performance obligation is satisfied and the Company will recognize as revenue the amount of the transaction price that is allocated to that performance obligation. Amounts received for future services are deferred until the service is provided.

Contributed Capital

Contributed capital represents certain items of property, plant and equipment which are acquired or constructed with financial assistance in the form of contributions from developers. Contributed capital in-kind were valued at their fair value at the date of their contribution.

On implementation of IFRS 15, contributions received from customers where the Company has an ongoing performance obligation to the customer are within the scope of IFRS 15. These contributions will be initially recorded at fair value recognized on a straight-line basis over the estimated life of the contract with the customers. Where contracts are perpetual, the contributed asset will be used to provide ongoing goods or services to customers and as such the estimated life of the contract with the customers is estimated to be equivalent to the economical useful life of the asset to which the contribution relates.

Contributions from developers are not within the scope of IFRS 15 as they do not give rise to a contract with a customer. Currently, there is no specific IFRS guidance on accounting for contributions received from developers. The Company has an accounting policy for the initial recognition of such contributions and subsequent recognition of the related revenue, as described in note 4(j).

Conservation and Demand Management Revenue

Revenues related to Conservation and Demand Management ("CDM") agreements with the Independent Electricity System Operator ("IESO") are recognized on a net basis. Performance fees are recognized as CDM programs are delivered.

Other Income

Other operating revenue is recorded when services are provided.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(d) Cash

Cash consists of balances with financial institutions.

(e) Foreign exchange

Monetary assets and liabilities of the Company which are denominated in foreign currencies are translated at year end exchange rates. Other assets and liabilities are translated at rates in effect at the date the assets were acquired and liabilities incurred. Revenue and expenses are translated at the rates of exchange in effect at their transaction dates. The resulting gains or losses are included in operations.

(f) Inventories

Inventories, which consist of parts and supplies acquired for internal construction or consumption, are valued at the lower of cost and net realizable value. Cost is determined on a weighted-moving average basis and includes expenditures incurred in acquiring the inventories and other costs to bring the inventories to their existing location and condition.

(g) Property, plant and equipment

Property, plant and equipment are stated at cost less accumulated depreciation and impairment losses. Cost includes expenditures that are directly attributable to the acquisition of the asset or its development when those costs are necessarily incurred for the asset to function in the manner intended by management. When parts of an item of property, plant and equipment have different useful lives, they are accounted for as separate items of property, plant and equipment.

All assets having limited useful lives are depreciated using the straight-line or declining balance method over their estimated useful lives. Assets are depreciated from the date of acquisition. Internally constructed assets are depreciated from the time an asset is capable of operating in the manner intended by management.

In the year of acquisition, depreciation is taken at one-half of the above rates on furniture and fixtures, leasehold improvements, and mobile camp equipment.

The residual value, useful life and depreciation method applied to each class of assets are reassessed at each reporting date.

The methods of depreciation and depreciation rates applicable for each class of asset are as follows:

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(g) Property, plant and equipment, continued

| | |
|------------------------------------|---------------|
| Land and buildings | |
| -Buildings | |
| -Shelters | 25 - 30 years |
| | 10 years |
| Distribution equipment | 10 - 50 years |
| Transportation and fibre equipment | |
| -Transportation equipment | 5 - 10 years |
| -Fibre cable and network equipment | 5 - 25 years |
| Office and other | 5 - 10 years |

An impairment loss is recognized when the carrying amount of these assets is not recoverable and exceeds their fair value.

(h) Goodwill and intangible assets

Intangible assets include computer software, land rights, licensed customer lists and goodwill. They are accounted for using the cost model whereby capitalized costs are amortized on a straight-line basis over their estimated useful lives, if applicable. Residual values and useful lives are reviewed at each reporting date. In addition, they are subject to impairment testing. The useful lives of the intangibles are as follows:

| | |
|------------------------|---------------|
| Computer software | 3-5 years |
| Land rights | 30 years |
| Licensed customer list | not amortized |
| Goodwill | not amortized |

Acquired computer software licenses are capitalized on the basis of the costs incurred to acquire and install the specific software. Costs associated with maintaining computer software, (expenditure relating to patches and other minor updates as well as their installation), are expensed as incurred.

Land rights are capitalized based on the payments made for easements, right of access and right of use over land for which the Company does not hold title. Land rights are measured at cost less accumulated amortization and accumulated impairment losses.

The licensed customer list is measured at cost and not amortized but assessed for impairment annually.

Goodwill represents the cost of acquired local distribution companies in Midland in excess of fair value of the net identifiable assets purchased. Goodwill is measured at cost and is not amortized but assessed for impairment annually.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(i) Right-of-use assets and lease liabilities

The Company implemented a single accounting model, requiring lessees to recognize assets and liabilities for all leases excluding exceptions listed in the standard. The Company is a party to two lease contracts for office space in use as well as electrical substation property in Midland.

Based on the accounting policy applied, the Company recognizes a right-of-use asset and a lease liability at the commencement date of the contract for all leases conveying the right to control the use of identified assets for a period of time. The commencement date is the date on which a lessor makes an underlying asset available for use by a lessee.

The right-of-use assets and lease liability are initially measured at the present value of the future lease payments, which comprises:

- (a) the amount of the initial measurement of the lease liability,
- (b) any lease payments made at or before the commencement date, less any lease incentives,
- (c) any initial direct costs incurred by the lessee,
- (d) an estimate of costs to be incurred by the lessee in dismantling and removing the underlying assets or restoring the site on which the assets are located.

The initial measurement of the lease liability is based on the lease payments excluding variable elements which are dependent on external factors such as e.g. sale volume in the point of sale leased. Variable lease payments not included in the initial measurement of the lease liability are recognized directly in the profit and loss. The lease payments are discounted using the OEB approved rate per the Company's most recent cost of service application. The lease term as determined by the Company comprises of the non-cancellable period of the lease contracts, periods covered by an option to extend the lease if the lessee is reasonably certain to exercise that option, and periods covered by an option to terminate the lease if the lessee is reasonably certain not to exercise that option.

After the commencement date the right-of-use assets are measured at the present value of the future lease payments, less any accumulated depreciation and any accumulated impairment losses and adjusted for any re-measurement of the lease liability. The Company depreciates the right-of-use asset from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term.

The lease liability is subsequently measured by increasing the carrying amount to reflect interest on the lease liability, reducing the carrying amount to reflect lease payments made, and re-measuring the carrying amount to reflect any reassessment or lease modifications.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(j) Contributed capital

Contributions for capital construction consist of contributions from customers and developers toward the cost of constructing distribution assets. The contributions are calculated through an economic evaluation as per the OEB Distribution Service Code (represents fair value) and are recorded as received. Contributed capital is amortized over the same period as the asset to which it relates, 10 to 50 years.

(k) Impairment of non-financial assets

At the end of each reporting period, the Company reviews the carrying amounts of its tangible assets to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss (if any). Where it is not possible to estimate the recoverable amount of an individual asset, the Company estimates the recoverable amount of the cash-generating unit ("CGU") to which the asset belongs. Where a reasonable and consistent basis of allocation can be identified, corporate assets are also allocated to individual CGUs, or otherwise they are allocated to the smallest group of CGUs for which a reasonable and consistent allocation basis can be identified.

The recoverable amount is the higher of fair value less costs to sell and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset for which the estimates of future cash flows have not been adjusted.

If the recoverable amount of an asset or CGU is estimated to be less than its carrying amount, the carrying amount of the asset or CGU is reduced to its recoverable amount. An impairment loss is recognized immediately in profit or loss.

Where an impairment loss subsequently reverses, the carrying amount of the asset or CGU is increased to the revised estimate of its recoverable amount, but so that the increased carrying amount does not exceed the carrying amount that would have been determined had no impairment loss been recognized for the asset or CGU in prior years. A reversal of an impairment loss is recognized immediately in profit or loss.

(l) Related parties

Related party transactions are in the normal course of operations and have been measured at the exchange amount which is the amount of consideration established and agreed to by the related parties. Details of related party transactions and balances are disclosed in note 16.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(m) Employee future benefits

The Company accounts for its participation in the Ontario Municipal Employee Retirement System ("OMERS"), a multi employer public sector pension fund, as a defined contribution plan. Both participating employers and employees are required to make plan contributions based on the participating employees' contributory earnings. The Company recognizes the expense related to this plan as contributions are made. No liability has been established for this plan.

The Company pays certain medical and life insurance benefits on behalf of its retired employees. These plans are not funded and accordingly have no plan assets. The Company's net obligation is calculated by estimating the amount of future benefits that are expected to be paid out discounted to determine its present value. This calculation is actuarially performed using the projected unit credit method. The last full valuation performed was as at December 31, 2019, with an update to December 31, 2020 for adjustments to the discount rate. Service costs are recognized in the Statement of Income in operating expenses, and include current and past service costs as well as gains and losses on curtailment. Net interest expense is included in finance costs.

Details related to the employee future benefits are detailed in note 22.

(n) Income taxes

Under the Electricity Act, 1998, the Company is required to make payments in lieu of income taxes (PILS) to the Ontario Electricity Financial Corporation (OEFC). Deferred income taxes are calculated using the liability method of tax accounting. In providing for income taxes, temporary differences between the tax basis of assets or liabilities and their carrying amounts are reflected as deferred income taxes. The tax rates anticipated to be in effect when these temporary differences reverse are used to calculate deferred income taxes. Additional details related to the calculation and method of accounting for PILS is included in note 12.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(o) Significant accounting estimates and judgements

The preparation of these financial statements requires management to make certain estimates, judgments and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and reported amounts of expenses during the reporting period. Actual outcomes could differ from these estimates. These financial statements include estimates which, by their nature, are uncertain. The impacts of such estimates are pervasive throughout the financial statements, and may require accounting adjustments based on future occurrences. Revisions to accounting estimates are recognized in the period in which the estimate is revised and future periods if the revision affects both current and future periods. These estimates are based on historical experience, current and future economic conditions and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

The significant accounting estimates, judgements and assumptions include the following:

Useful lives of depreciable assets - Depreciation and amortization expense is based on estimates of the useful lives of property, plant and equipment and intangible assets. The Company estimates the useful lives of its property, plant and equipment and intangible assets based on management's judgment, historical experience and an asset study conducted by an independent consulting firm.

Payment in lieu of taxes payable - The Company is required to make payments in lieu of taxes calculated on the same basis as income taxes on taxable income earned. Significant judgement is required in determining the provision and liability or asset for income taxes. Changes in deferred taxes may be required due to changes in future tax rates.

Employee future benefits - The cost of providing certain health, dental and life insurance benefits on behalf of its retired employees are determined using actuarial valuations. The actuarial valuation uses managements assumptions which have been outlined in note 22.

Accounts receivable impairment - In determining the allowance for doubtful accounts, the Company considers the life-time expected credit losses that result from all possible default events over the expected life of the account balance.

Leases - Management uses its judgment to determine whether or not an option would be reasonably certain to be exercised. Management considers all facts and circumstances including their past practice and any cost that will be incurred to change the asset if an option to extend is not taken, to help them determine the lease term.

COVID-19 - On March 11, 2020, the World Health Organization categorized COVID-19 as a pandemic. Although this pandemic has not had a material impact on the financial statements, it may still have a material adverse effect on the Company's future operations, financial position and liquidity in fiscal year 2021. Refer to note 35 for additional disclosure related to COVID-19.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(p) Provisions

A provision is recognized in the Statement of Financial Position when the Company has a present legal or constructive obligation as a result of a past event, and it is probable that an outflow of economic benefits will be required to settle the obligation. If the effect is material, provisions are determined by discounting the expected future cash flows at a pre-tax rate that reflects current market assessments of the time value of money and, where appropriate, the risks specific to the liability.

Some of the Company's assets may have provision obligations. As the Company expects to use the majority of its fixed assets for an indefinite period, no removal costs can be determined and, consequently, a reasonable estimate of the fair value of any asset retirement obligations has not been made at this time.

(q) Financial instruments

Financial assets are identified and classified based on the business model used by the Company for managing those financial assets, as one of the following: at amortized cost, at fair value through other comprehensive income, or at fair value through profit or loss. Financial liabilities continue to be classified as measured at fair value through profit or loss or at amortized cost.

Financial assets and financial liabilities are presented on a net basis when the Company has a legally enforceable right to offset the recognized amounts and intends to settle on a net basis or to realize the asset and settle the liability simultaneously.

At amortized cost

Cash, accounts receivable and unbilled revenue are classified as financial assets at amortized cost. These financial assets are recognized initially at fair value plus directly attributable transaction costs, if any. After initial recognition, they are measured at amortized cost when they are held for collection of cash flows, where those cash flows solely represent payments of principal and interest using the effective interest rate. The effective interest rate is the rate that discounts estimated future cash receipts through the expected life of the financial asset, or a shorter period when appropriate, to the gross carrying amount of the financial asset.

The Company's accounts payable and accrued liabilities, customer deposits, subordinate debt, bank loan and long term debt are classified as financial liabilities at amortized cost and recognized on the date at which the Company becomes a party to the contractual arrangement. Financial liabilities are derecognized when the contractual obligations are discharged, cancelled or expire. Financial liabilities are initially recognized at fair value including discounts and premiums, plus directly attributable transaction costs, such as issue expenses, if any. Subsequently, these liabilities are measured at amortized cost using the effective interest rate method.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(q) Financial instruments, continued

At fair value through other comprehensive income

Financial assets that are held for collection of contractual cash flows and for selling, where the assets' cash flows solely represent payments of principal and interest, are classified as financial assets at fair value through other comprehensive income. These financial assets are initially recognized at fair value plus directly attributable transaction costs. Subsequent to initial recognition, these financial assets are measured at fair value with unrealized gains and losses recognized in other comprehensive income, except for the recognition of impairment losses, reversal of impairment losses, interest income and foreign exchange gains and losses, gain or loss previously recognized in net income. On de-recognition of the financial asset, the cumulative gain or loss previously recognized in other comprehensive income is reclassified to net income. Interest income from these financial assets is recognized as other income using the effective interest rate method. As at December 31, 2020, the Company does not have any financial assets, classified at fair value through other comprehensive income.

At fair value through profit or loss

Financial instruments at fair value through profit or loss include instruments that are designated as financial instruments at fair value through profit or loss or those financial instruments that do not meet the criteria for classification under any other category. Upon initial recognition, directly attributable transaction costs are recognized in net income as incurred. Changes in fair value of financial instruments measured at fair value through profit or loss are recognized in net income.

Impairment of financial assets at amortized cost

The policy for accounts receivable and unbilled revenue allowances is to measure at an amount equal to the life-time expected credit losses that result from all possible default events over the expected life of a financial instrument. The policy for other financial assets is at life-time expected credit loss if credit risk increased significantly, if not, then at 12-month expected loss.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

4. SIGNIFICANT ACCOUNTING POLICIES, continued

(r) Change in accounting policies

There were no changes in accounting policies in 2020 that impacted the Company.

(s) New Standards and interpretations not yet effective or adopted

Effective for annual periods beginning on or after January 1, 2022.

IFRS 3 Business Combinations was amended by the IASB in May 2020. The amendment updates a reference in IFRS 3 to the Conceptual Framework for Financial Reporting without changing the accounting requirements for business combinations. Earlier adoption is permitted if at the same time or earlier an entity also applies all the amendments made by Amendments to References to the Conceptual Framework in IFRS Standards, issued March 2018.

IFRS 9 Financial Instruments was amended by the IASB in May 2020. The amendment provides further explanation in determining fees in the 10 percent test for derecognition of financial liabilities.

IAS 16 Property, Plant and Equipment was amended by the IASB in May 2020. The amendment prohibits a company from deducting from the cost of the property, plant and equipment amounts received from selling items produced while the company is preparing the asset for its intended use. Instead, a company will recognize such sales proceeds and related cost in profit or loss.

IAS 37 Provisions, Contingent Liabilities and Contingent Assets was amended by the IASB in May 2020. The amendments specify which costs a company includes when assessing whether a contract will be loss-making.

The Company is currently assessing the impact that these standards will have on the financial statements.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

5. CASH

The Company has a \$7,250,000 operating facility from a major chartered bank. The amount increases to \$14,500,000 from the period of March 25, 2020 to March 31, 2021. The facility is a 365 day committed revolving operating loan, bearing interest at prime plus 0%, to be repaid in full upon maturity unless extended by the bank and the bank's sole discretion. A commitment fee of 0.125% per annum, payable quarterly applies to any unused portion of the facility. As at December 31, 2020 the Company has \$nil (2019 - \$nil) drawn on this facility.

The Company has provided prudential support in the amount of \$3,861,670 to the Independent Electricity System Operator. The prudential support is secured by a letter of credit with a major chartered bank for \$3,861,670, contains restrictive clauses with respect to debt repayments, is due on demand in the event of cancellation or draw and bears interest at 0.5% per annum.

A general security agreement representing a first charge on all assets of the Company, a second charge on all assets of Tay Hydro Inc. prior to amalgamation and supported by a priorities agreement with the Township of Tay giving the bank priority over all the assets. There is also an assignment of business/liability insurance from the Company.

The Company is required to meet certain financial covenants related to the credit facility and long-term debt as described in note 17. At December 31, 2020, the Company was in compliance with all covenants.

Included in the Company's bank balance is restricted cash in the amount of \$521,020 (2019 - \$359,900), which consists of monies received by the Company from the Ontario provincial government to administer the Affordability Fund Trust (AFT) program.

The AFT was established as part of the Fair Hydro Act, to serve house-holds not eligible for income qualified electricity support services. The AFT exists as a legal trust and the Company is only able to offer disbursements to qualified beneficiaries.

6. SHORT TERM INVESTMENT

| | 2020 | 2019 |
|--|--------|--------|
| | \$ | \$ |
| Term deposit held with TD Canada Trust at an interest rate of 0.35% per annum with a maturity date March 31, 2021. | 25,655 | 25,475 |

This short-term investment is related to a stand-by letter of guarantee in the amount of \$25,000.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

7. ACCOUNTS RECEIVABLE

| | 2020 | 2019 |
|---|------------|------------|
| | \$ | \$ |
| Accounts receivable | 19,502,527 | 16,633,394 |
| Dividend receivable from Ecobility Inc. | 219,318 | 235,826 |
| | 19,721,845 | 16,869,220 |
| Less: Allowance for doubtful accounts | 525,633 | 277,308 |
| | 19,196,212 | 16,591,912 |

8. INVESTMENTS

| | 2020 | 2019 |
|--|---------|---------|
| | \$ | \$ |
| Utility Collaborative Services Inc. (UCS), recorded using the cost method, 100 common shares, 16.7% interest | 100 | 100 |
| Investment in Ecobility Inc. | 146,128 | 172,547 |
| | 146,228 | 172,647 |

Utility Collaborative Services Inc. (UCS) provides billing, mailing, call centre and IT infrastructure services for Midland PUC customers. The Company has given formal notice of retraction of the shares in UCS on January 16, 2019 effective May 16, 2019. The notice period is 3 years or a penalty equal to the previous 3 years of service fees will be levied.

Ecobility Inc. provides program design and management, incentive application management and consulting services for commercial and residential energy efficiency programs. One class A common share and 33,883 class B special shares of Ecobility Inc. are owned by the company, resulting in a 20% ownership. A bare trust agreement has been signed between the company and Tay Hydro Inc. giving Tay Hydro Inc. the right to 7% of the investment, and its return. The investment in Ecobility Inc. is accounted for using the equity method. During the year, dividends of \$231,396 were received and the Company's proportionate share of income Ecobility Inc. income was \$204,977.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

9. **PROPERTY, PLANT AND EQUIPMENT**

| | Land and building \$ | Equipment \$ | Transportation and fibre equipment \$ | Office equipment \$ | Total \$ |
|---|----------------------------|-----------------|--|---------------------------|-------------|
| Cost | | | | | |
| At December 31, 2019 | 6,115,556 | 125,369,320 | 3,906,821 | 3,404,779 | 138,796,476 |
| Additions | 2,950 | 6,390,283 | 881,441 | 315,029 | 7,589,703 |
| Disposals | - | (729,913) | (23,679) | (50,111) | (803,703) |
| At December 31, 2020 | 6,118,506 | 131,029,690 | 4,764,583 | 3,669,697 | 145,582,476 |
| Amortization | | | | | |
| At December 31, 2019 | 56,329 | 23,843,836 | 1,596,549 | 1,500,966 | 26,997,680 |
| Additions | 34,516 | 4,191,346 | 377,198 | 393,387 | 4,996,447 |
| Disposals | - | (256,957) | (23,679) | (45,564) | (326,200) |
| At December 31, 2020 | 90,845 | 27,778,225 | 1,950,068 | 1,848,789 | 31,667,927 |
| Net book amount at December 31, 2020 | 6,027,661 | 103,251,465 | 2,814,515 | 1,820,908 | 113,914,549 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

9. **PROPERTY, PLANT AND EQUIPMENT, continued**

| | Land and building \$ | Equipment \$ | Transportation and fibre equipment \$ | Office equipment \$ | Total \$ |
|-----------------------------------|----------------------------|-----------------|--|---------------------------|-------------|
| Cost | | | | | |
| At December | | | | | |
| 31, 2018 | 6,041,985 | 120,653,836 | 3,363,960 | 2,685,201 | 132,744,982 |
| Additions | 143,407 | 5,130,890 | 592,399 | 777,644 | 6,644,340 |
| Disposals | (69,836) | (415,406) | (49,538) | (58,066) | (592,846) |
| At December | | | | | |
| 31, 2019 | 6,115,556 | 125,369,320 | 3,906,821 | 3,404,779 | 138,796,476 |
| Amortization | | | | | |
| At December | | | | | |
| 31, 2018 | 19,483 | 19,685,864 | 1,244,524 | 1,121,499 | 22,071,370 |
| Additions | 47,635 | 4,405,634 | 419,103 | 428,617 | 5,300,989 |
| Disposals | (10,789) | (247,662) | (67,078) | (49,150) | (374,679) |
| At December | | | | | |
| 31, 2019 | 56,329 | 23,843,836 | 1,596,549 | 1,500,966 | 26,997,680 |
| Net book amount at December | | | | | |
| 31, 2019 | 6,059,227 | 101,525,484 | 2,310,272 | 1,903,813 | 111,798,796 |

Included in distribution equipment additions is amortization expense of \$285,820 (2019 - \$328,759) and work in progress of \$8,005,418 (2019 - \$4,113,262). Included in land and building is land with a value of \$5,576,475 (2019 - \$5,576,475).

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

10. **INTANGIBLE ASSETS**

| | Cost \$ | Accumulated amortization \$ | 2020 Net book value \$ | 2019 Net book value \$ |
|------------------------|------------|-----------------------------------|---------------------------------|---------------------------------|
| Computer software | 1,652,177 | 1,054,600 | 597,577 | 549,445 |
| Land rights | 420,157 | 102,885 | 317,272 | 343,132 |
| Licensed customer list | 7,015,367 | - | 7,015,367 | 7,015,367 |
| | 9,087,702 | 1,157,485 | 7,930,217 | 7,907,944 |

During the year, the Company had additions of \$103,721 (2019 - \$179,466), disposals of \$2,993 (2019 - \$6,041) and amortization of \$81,448 (2019 - \$285,457).

Included in computer software is work in progress of \$446,284 (2019 - \$445,448).

Based on the results of the annual licensed customer list impairment test, the Company determined that the recoverable amount of the cash generating unit is more than its carrying value. No impairment has been recorded in the period ended December 31, 2020.

11. **GOODWILL**

| | Cost \$ | Accumulated amortization \$ | 2020 Net book value \$ | 2019 Net book value \$ |
|----------|------------|-----------------------------------|---------------------------------|---------------------------------|
| Goodwill | 6,864,284 | - | 6,864,284 | 6,864,284 |

Goodwill, representing 4% of the Company's total assets, is allocated to the entire subsidiary Newmarket - Tay Power Distribution Ltd. as a cash generating unit. The goodwill at December 31, 2020 of \$6,864,334 (2019 - \$6,864,334) represents the cost of acquired local distribution companies in excess of fair value of the net identifiable assets purchased and is not amortized.

Based on the results of the annual goodwill impairment test, the Company determined the recoverable amount of the cash generating unit is more than its carrying value. No impairment has been recorded in the period ended December 31, 2020.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

12. INCOME TAXES

- (a) The provision for income taxes recorded in the consolidated financial statements differs from the amount which would be obtained by applying the statutory income tax rate of 39.5% (2019 - 39.5%) to the income (loss) for the years as follows:

| | 2020 \$ | 2019 \$ |
|--|-------------|-------------|
| Income (loss) for the year before income taxes | (184,872) | 5,733,633 |
| Net movement in regulatory deferral accounts | 2,372,863 | (4,483,013) |
| | 2,187,991 | 1,250,620 |
| Anticipated income tax | 864,256 | 493,995 |
| Tax effect of the following: | | |
| Permanent expense differences | 1,735 | 8,878 |
| Non-taxable Ecobility Inc. equity investment | (76,342) | (205,774) |
| Loss carryforward | (1,035,462) | (250,672) |
| General rate reduction | (13,391) | (22,869) |
| Other | (2,365,989) | (128,862) |
| | (2,625,193) | (105,304) |

- (b) Deferred income tax assets are calculated using the liability method of tax accounting. In providing for income taxes, temporary differences between the tax basis of the underlying assets and their carrying amounts as per the financial statements are reflected as deferred income taxes. When the tax basis is greater than the carrying amount, a deferred tax asset is created. When the tax basis is less than the carrying amount, a deferred tax liability is created. The tax rates anticipated to be in effect when these temporary differences reverse are used to calculate deferred income taxes.

| | Opening balance at January 1, 2020 \$ | Recognize in net income \$ | Closing balance at December 31, 2020 \$ |
|-------------------------------|---|----------------------------------|---|
| Deferred tax assets | | | |
| Property, plant and equipment | - | 700,019 | 700,019 |
| Reserves deductible when paid | 967,968 | 507,742 | 1,475,710 |
| Loss carryforward | 630,216 | (630,216) | - |
| | 1,598,184 | 577,545 | 2,175,729 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

12. **INCOME TAXES, continued**

| | Opening balance at January 1, 2019 \$ | Recognize in net income \$ | Closing balance at December 31, 2019 \$ |
|-------------------------------|---|----------------------------------|---|
| Deferred tax assets | | | |
| Reserves deductible when paid | 552,851 | 415,117 | 967,968 |
| Loss carryforward | 292,071 | 338,145 | 630,216 |
| | 844,922 | 753,262 | 1,598,184 |

Deferred income tax liabilities are calculated using the liability method of tax accounting. In providing for income taxes, temporary differences between the tax basis of the underlying liabilities and their carrying amounts as per the financial statements are reflected as deferred income taxes. When the tax basis is less than the carrying amount, a deferred tax liability is created. The tax rates anticipated to be in effect when these temporary differences reverse are used to calculate deferred income taxes.

| | Opening balance at January 1, 2020 \$ | Recognize in net income \$ | Closing balance at December 31, 2020 \$ |
|---------------------------------|---|----------------------------------|---|
| Deferred tax liabilities | | | |
| Property, plant and equipment | 2,092,382 | (2,092,382) | - |

| | Opening balance at January 1, 2019 \$ | Recognize in net income \$ | Closing balance at December 31, 2019 \$ |
|---------------------------------|---|----------------------------------|---|
| Deferred tax liabilities | | | |
| Property, plant and equipment | 1,498,793 | 593,589 | 2,092,382 |

The deferred tax assets are expected to be recovered after more than 12 months.

A full allowance has been applied against the non-capital loss carry-forwards in Envi Networks Inc. There is \$823,223 of loss carry-forwards available which begin to expire in 2038.

Included in the 2020 provision for income taxes table (a), other, and table (b) deferred tax property, plant and equipment, is an amount of \$2,995,532. This has decreased the deferred tax liability and increased the current year net income. The change relates to a 2018 deferred tax timing difference in property, plant and equipment when compared to the undepreciated capital cost for tax purposes. This change has been fully recognized in the current year.

Included in reserves deductible when paid are right-of-use assets and lease liability, post-employment benefits and net unrealized losses. Included in tax basis of property, plant and equipment are goodwill and intangible assets.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

13. REGULATORY DEFERRAL ACCOUNTS

All amounts deferred as regulatory deferral account balances are subject to approval by the OEB. As such, amounts subject to deferral could be altered by the regulators. Remaining recovery periods are those expected and the actual recovery or settlement periods could differ based on OEB approval. Due to previous, existing or expected future regulatory articles or decisions, the Company has the following amounts expected to be recovered or repaid in future periods which are comprised of the following:

| | Note | Remaining recovery/ reversal period (years) | December 31, 2019 \$ | Net balances arising/ recovered in the period \$ | Recovery/ reversal \$ | December 31, 2020 \$ |
|--|------|---|----------------------------|--|-----------------------------|----------------------------|
| Regulatory deferral account debit | | | | | | |
| Other | ii | A | 1,916,636 | 83,061 | 514,550 | 2,514,247 |
| Regulatory Deferred Tax Asset | iii | A | 1,999,316 | (876,362) | - | 1,122,954 |
| | | | 3,915,952 | (793,301) | 514,550 | 3,637,201 |

| | Note | Remaining recovery/ reversal period (years) | December 31, 2019 \$ | Balances arising in the period \$ | Recovery/ reversal \$ | December 31, 2020 \$ |
|---|------|---|----------------------------|--|-----------------------------|----------------------------|
| Regulatory deferral account credit | | | | | | |
| RSVA | i | A | 1,572 | 250,118 | - | 251,690 |
| Recovery account | iv | A | (165,976) | (466,095) | 834,565 | 202,494 |
| IFRS conversion | v | A | 1,221,290 | 1,541,595 | (650,919) | 2,111,966 |
| Deferred tax credit balance | iii | A | 509,152 | 305,803 | - | 814,955 |
| | | | 1,566,038 | 1,631,421 | 183,646 | 3,381,105 |

(A) These amounts are expected to reverse when the Company submits their next cost of service filing which is anticipated to be within the next four years.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

13. REGULATORY DEFERRAL ACCOUNTS, continued

- (i) Retail Settlement Variance Account variances represent the difference between the amounts charged by the company to its customers, and the amounts paid by the company to the Independent Electricity System Operator ("IESO") and Hydro One for the cost of energy. The settlement variances include Smart Metering Entity Charge, network and connection service charges, energy sales and the global adjustment. The balance for settlement variances and carrying charges are calculated and recorded on a monthly basis.
- (ii) Other Deferral Accounts include debit and credit balances in other regulatory assets, including Lost Revenue Adjustment Mechanism variances, Retail Cost variances, IFRS transition expenditures, payments in lieu of taxes and Smart Meter expenditures. The costs incurred in these deferral accounts have been captured for future recovery or settlement. Carrying charges are recorded monthly on the opening balances.
- (iii) Deferred tax on the regulatory balances that will ultimately be recovered from/paid back to its customers.
- (iv) Recovery Accounts are used to record the disposition of deferral and variance account balances that have been approved by the OEB. The variances are to be recovered or settled when the company submits their next Cost of Service filing.
- (v) In 2012, the Company adjusted the estimated useful life related to the amortization period for certain capital assets, based upon the Ontario Energy Board's regulatory accounting direction as contained in the revised 2012 Accounting Procedures Handbook for Electricity Distributors. As a result of OEB direction related to the settlement of these amounts, the company has recorded a payable in the deferral account of \$2,111,966 (2019 - \$1,221,290).

This balance also includes \$774,915 of carrying charges based on the Company's weighted average cost of capital.

14. ACCOUNTS PAYABLE AND ACCRUED LIABILITIES

| | 2020 | 2019 |
|--|-------------------|-------------------|
| | \$ | \$ |
| Accounts payable - purchased power | 7,861,372 | 9,372,271 |
| Other trade accounts payable and accrued liabilities | 4,211,847 | 4,188,690 |
| Water and sewer billings payable (note 16) | 6,954,873 | 3,116,499 |
| Credits on customer accounts | 1,136,569 | 1,332,926 |
| Conservation demand management programs | 616,671 | 843,718 |
| HST payable (recoverable) | 1,539,539 | 555,901 |
| | 22,320,871 | 19,410,005 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

15. **BANK LOAN**

| | 2020 | 2019 |
|------------------------------------|-----------|-----------|
| | \$ | \$ |
| Interim construction facility loan | 2,750,000 | 2,050,000 |

The Company has an interim construction facility loan with total credit available of \$3,500,000. The loan is payable on demand with interest to be paid monthly bearing a rate of prime plus 0.25% per annum. The loan will be fully repaid in five years with the proceeds of a committed reducing term facility loan. The contract term starts five years from the date of drawdown of the interim construction facility loan.

A general security agreement covering all assets of Envi Networks Ltd. and assignment of business/liability insurance has been pledged as security for the interim construction facility.

Envi Networks Ltd. has provided a letter of credit in the amount of \$25,000.

Newmarket-Tay Distribution Ltd. is a limited guarantor of advances in the amount of the \$3,500,000 credit available to Envi Networks Ltd.

16. **RELATED PARTY TRANSACTIONS AND ADVANCES FROM PARENT COMPANY**

- (a) The Company entered into transactions with its parent, the Town of Newmarket which is the sole shareholder of Newmarket Hydro Holdings Inc. Revenue charged during the year included energy, street light capital and street light maintenance charged at commercial rates to the Town of Newmarket.

Included in accounts payable (note 14) are water and sewer amounts collected which are due to the Town. These amounts are collected and remitted in accordance with a contract with URB Olameter and remitted on their behalf.

Included in subordinate debt (note 19) are notes payable to related parties.

- (b) Transactions

These transactions are measured at the exchange amount, which is the amount of consideration established and agreed to by the related parties.

| | 2020 | 2019 |
|-------------------------------------|-----------|-----------|
| | \$ | \$ |
| Revenue | | |
| Energy sales | 2,492,803 | 2,881,949 |
| Services - street light maintenance | 4,095 | 7,070 |
| | 2,496,898 | 2,889,019 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

16. **RELATED PARTY TRANSACTIONS, continued**

(b) Transactions, continued

| | 2020 | 2019 |
|-----------------------|-----------|-----------|
| | \$ | \$ |
| Expenses | | |
| Interest | 1,205,600 | 1,205,600 |
| Rent and property tax | 553,148 | 420,379 |
| | 1,758,748 | 1,625,979 |

(c) Due to related party

| | 2020 | 2019 |
|-----------------------|--------|------|
| | \$ | \$ |
| Due to Tay Hydro Inc. | 24,388 | - |

(d) The following amount is due from the Town of Newmarket and included in the accounts receivable balance

| | 2020 | 2019 |
|----------------------------|---------|---------|
| | \$ | \$ |
| Due from Town of Newmarket | 245,579 | 345,993 |

The key management personnel of the company has been defined as members of its board of directors, executives, and other management personnel. Total wages and benefits to these individuals total \$3,265,911 (2019 - \$3,023,330).

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

17. **LONG-TERM DEBT**

| | 2020 \$ | 2019 \$ |
|---|------------|------------|
| (a) Bank loan payable, 4.41% fixed rate, payable in blended monthly payments of \$49,448 | 9,798,828 | 9,974,300 |
| (b) Bank loan payable, 4.4% fixed rate, payable in blended monthly payments of \$41,039 | 7,363,153 | 7,546,461 |
| (c) Bank loan payable, 2.44% fixed rate, repaid during 2020 | - | 4,402,848 |
| (d) Bank loan payable, 4.26% fixed rate, payable in blended monthly payments of \$31,228 | 3,924,155 | 4,149,229 |
| (e) Bank loan payable, 30 day bankers acceptances, interest only, no defined terms of repayment | 2,000,000 | 2,000,000 |
| (f) Canadian Emergency Business Account "CEBA" loan | 40,000 | - |
| | 23,126,136 | 28,072,838 |
| Less principal payments due within one year | 2,609,758 | 6,986,701 |
| Due beyond one year | 20,516,378 | 21,086,137 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

17. **LONG-TERM DEBT, continued**

(a) The bank loan payable is a 30 year term loan due October 9, 2048 with a payment due at maturity of \$50,798. Refer to note 18 and 32 for details on interest swap agreements.

(b) The bank loan payable is a 10 year term loan due October 10, 2028 with a payment due at maturity of \$5,633,365. Refer to note 18 and 32 for details on interest swap agreements.

(c) The bank loan payable was a 5 year term loan which matured on December 10, 2020. A payment of \$3,771,150 was made to fully repay the loan.

(d) The bank loan payable is a 15 year term loan due October 11, 2033 with a payment due at maturity of \$33,005. Refer to note 18 and 32 for details on interest swap agreements.

(e) The Company has \$4,000,000 available in the form of a demand loan bearing interest at prime plus 0%. As at December 31, 2020, \$2,000,000 has been drawn upon.

(f) The Canadian Emergency Business Account "CEBA" loan in the amount of \$40,000 represents the unforgivable balance of the \$60,000 interest-free loan received under the Government of Canada COVID response programs. 25% of the loan will be eligible for loan forgiveness, up to \$20,000, if the loan is fully repaid on or before December 31, 2022. As at the year end date, \$20,000 has been included in other income and represents the maximum forgivable portion of the loan. If the unforgiven balance of the loan is not fully repaid by December 31, 2022 the remaining principal balance will be repayable and will bear interest at a rate of 5% per annum beginning on January 1, 2023. The loan is due in full December 31, 2025.

Estimated principal repayments are as follows:

| | \$ |
|------------------|------------|
| 2021 | 2,609,758 |
| 2022 | 676,812 |
| 2023 | 665,066 |
| 2024 | 694,579 |
| 2025 | 725,394 |
| Subsequent years | 17,754,527 |
| | 23,126,136 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

18. INTEREST RATE SWAPS

To reduce exposure to interest rate fluctuations, the Company has four interest rate swaps where they pay a fixed interest rate over the term of the loan. As at December 31, 2020, the mark-to-market loss related to the swap agreement is \$3,762,123 (2019 - \$2,086,817). The current year loss was \$1,675,306 (2019 - \$790,066).

19. SUBORDINATE DEBT

| | 2020 | 2019 |
|--|-------------------|-------------------|
| | \$ | \$ |
| Promissory note payable, 5.48% - Town of Newmarket | 22,000,000 | 22,000,000 |
| Promissory note payable, 5.48% - Township of Tay | 1,742,821 | 1,742,821 |
| | 23,742,821 | 23,742,821 |

Estimated principal repayments are as follows:

| | \$ |
|------------------|-------------------|
| Subsequent years | 23,742,821 |

No repayment of this subordinated debt is permissible until all payment obligations of the bank loans payable listed in note 17 are fulfilled.

20. CONTRIBUTED CAPITAL

| | 2020 | 2019 |
|---|-------------------|-------------------|
| | \$ | \$ |
| Deferred contributions, net, beginning of year | 37,727,229 | 35,608,117 |
| Contributed capital received | 1,154,732 | 3,063,154 |
| Contributed capital recognized as revenue (note 26) | (994,358) | (944,042) |
| Deferred contributions, net, end of year | 37,887,603 | 37,727,229 |

Included in contributed capital is WIP amounts of \$3,180,669 (2019 - \$2,316,791).

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

21. **DEPOSITS HELD**

Deposits held represent cash deposits from electricity distribution customers and retailers, as well as construction deposits.

Deposits from electricity distribution customers are refundable to customers demonstrating an acceptable level of credit risk as determined by the Company in accordance with policies set out by the OEB or upon termination of their electricity distribution service.

Construction Deposits represent cash payments from developers in order to secure the performance of the developer's obligations under the Construction Agreement for Expansion Facilities and Connection Assets Supplied by Developer - Residential Subdivision (The Construction Agreement).

| | 2020 | 2019 |
|--|-----------|-----------|
| | \$ | \$ |
| Current portion of customer deposits | 620,160 | 733,732 |
| Current portion of construction deposits | 236,651 | 172,084 |
| | 856,811 | 905,816 |
| | | |
| | 2020 | 2019 |
| | \$ | \$ |
| Long-term portion of customer deposits | 2,223,647 | 1,880,284 |
| Long-term portion of construction deposits | 445,302 | 466,366 |
| | 2,668,949 | 2,346,650 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

22. EMPLOYEE FUTURE BENEFITS

The Company provides certain health, dental and life insurance benefits for retired employees pursuant to the Company's policy. The accrued benefit obligation and net periodic expense for the year were determined by an actuarial valuation. The last full valuation performed was as at December 31, 2019, with an update to December 31, 2020 for adjustments to the discount rate

Information about the Company's defined benefit plan is as follows:

| | 2020 \$ | 2019 \$ |
|---|------------|------------|
| Accrued benefit obligation, beginning of year | 1,565,894 | 1,157,004 |
| Past service costs | - | 283,690 |
| Current service cost | 58,706 | 25,670 |
| Interest expense | 47,092 | 38,669 |
| Benefits paid | (93,608) | (55,405) |
| Actuarial loss | 119,539 | 116,266 |
| Accrued benefit obligation, end of year | 1,697,623 | 1,565,894 |

Current service costs and interest on accrued benefit obligation are recognized in the statement of income. Actuarial losses arising from changes in financial assumptions are accounted for in other comprehensive income. The total benefit costs for the year is \$225,337 (2019 - \$464,297).

The actuarial assumptions used in the valuation of the Company's staff are a discount rate of 2.6% (2019 - 3.1%), salary increase rate of 2.8% (2019 - 2.8%), cost trend including health benefits of 4.20% (2019 - 5.78%) and dental benefits 4.5% (2019 - 4.5%) and retirement age of 61 (2019 - 61). The health benefits are expected to increase to 4.40% in 2021, then increase to 4.60% in 2022, and dental benefits are expected to decrease to 4.70% in 2021, then increase to 4.90% in 2022.

The impact of a change in the actuarial assumptions would have the following impact on the obligation:

| | Reasonable possible change % | Defined benefit obligation \$ | Difference \$ | Difference % |
|---------------|---------------------------------------|--|------------------|-----------------|
| Discount rate | 1 | 1,472,200 | (225,400) | (13) |
| Discount rate | (1) | 1,987,900 | 290,300 | 17 |
| | - | - | - | - |
| Cost trends | 1 | 1,771,300 | 73,700 | 4 |
| Cost trends | (1) | 1,631,400 | (66,200) | (4) |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

23. **LEASES**

The Company has leases for two office buildings, one rental space, a lease for fibre optic cable and a lease in place for electrical substations. Each lease is reflected on the statement of financial position as a right-of-use asset and a lease liability.

Estimates on lease terms and lease extensions on lease contracts were measured based on circumstances at date of initial application. Lease payments are fixed, with leases of office buildings generally limited to a lease term of 5 to 10 years and leases of substations having a lease term of 5 years.

When measuring the lease liabilities, the Company determined the appropriate rate to discount lease payments as the long term debt rate from their most recent OEB board approved cost of service rate application. When measuring the lease liabilities pertaining to Envi Networks Ltd. the Company determined the appropriate rate to discount lease payments as the incremental borrowing rate from their most recent banking agreement.

The lease related to fibre cables was modified on June 1, 2020 requiring a revaluation of \$140,818 based on the circumstances at date of modification.

Right-of-use assets

Additional information on right-of-use assets by class is as follows:

| | Opening | Additions | Depreciation | Carrying amount |
|------------------------|-----------|-----------|--------------|-----------------|
| Office buildings | 1,675,800 | - | (319,046) | 1,356,754 |
| Electrical substations | 183,776 | - | (45,944) | 137,832 |
| Fibre cable | 451,877 | 14,904 | (194,476) | 272,305 |
| Rental space | 35,059 | - | (3,895) | 31,164 |
| | 2,346,512 | 14,904 | (563,361) | 1,798,055 |

Lease liabilities

Lease liabilities are presented in the statement of financial position as follows:

| | Opening | Additions | Repayments | Carrying amount |
|------------------------|-----------|-----------|------------|-----------------|
| Office buildings | 1,686,398 | - | (296,261) | 1,390,137 |
| Electrical substations | 171,459 | - | (44,522) | 126,937 |
| Fibre cable | 447,847 | 18,372 | (184,733) | 281,486 |
| Rental space | 35,977 | - | (3,489) | 32,488 |
| | 2,341,681 | 18,372 | (529,005) | 1,831,048 |

Subsequent to year end, the Company renegotiated their lease at their head office. These renegotiated amounts have not been included in the lease liability or right-of-use asset. These include lease payments in 2021 and 2022 of \$335,965 and \$345,948, respectively, and after 2022 a minimum 3% increase will occur, however, a review of the rent will be undertaken at that time. As a result, \$1,748,698 of potential lease payments have not been included in the lease liability.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

24. **SHARE CAPITAL**

Authorized

Unlimited number of common shares

Issued

| | 2020 | 2019 |
|----------------------|------------|------------|
| | \$ | \$ |
| 10,000 Common shares | 29,609,342 | 29,609,342 |

25. **NON-CONTROLLING INTEREST**

The changes in non-controlling interest consist of:

| | 2020 | 2019 |
|---|-----------|-----------|
| | \$ | \$ |
| Non controlling interest, beginning of year | 3,193,391 | 3,381,444 |
| Income (loss) | 94,715 | (81,071) |
| Dividends paid | (101,000) | (101,000) |
| Other comprehensive income | (6,150) | (5,982) |
| Non-controlling interest, end of year | 3,180,956 | 3,193,391 |

26. **OTHER INCOME**

Other income consists of the following:

| | 2020 | 2019 |
|--|-----------|-----------|
| | \$ | \$ |
| Account set up fees | 134,845 | 173,213 |
| Pole rentals | 147,025 | 153,228 |
| Collection charges | 738 | 31,425 |
| Non rate-regulated utility operations, net | 132,581 | 556,180 |
| Recognition of contributed capital (note 20) | 944,358 | 944,042 |
| Ecobility Inc. equity investment | 168,511 | 520,947 |
| Other | 184,928 | 264,310 |
| | 1,712,986 | 2,643,345 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

27. OPERATING EXPENSES

Operating expenses consist of the following:

| | 2020 \$ | 2019 \$ |
|---|-------------------|-------------------|
| Wage and benefits | 5,605,198 | 6,114,696 |
| Materials, equipment and other operating expenses | 2,466,797 | 2,677,513 |
| Administration and overhead | 5,226,598 | 4,964,785 |
| | 13,298,593 | 13,756,994 |

The prior year amounts have been restated to conform to current year classifications.

28. FINANCE INCOME AND FINANCE COSTS

Finance income recognized in net income consists of the following:

| | 2020 \$ | 2019 \$ |
|--|----------------|----------------|
| Interest income on accounts receivable | 275,833 | 244,910 |
| Income on cash balance | 74,291 | 75,513 |
| Interest income on regulatory balances | 57,504 | 104,050 |
| | 407,628 | 424,473 |

Finance costs recognized in net income consists of the following:

| | 2020 \$ | 2019 \$ |
|-------------------------------|------------------|------------------|
| Interest on long-term debt | 1,158,278 | 1,291,350 |
| Interest on subordinated debt | 1,301,107 | 1,301,107 |
| Interest on lease liabilities | 96,210 | 116,425 |
| Interest on customer deposits | 45,570 | 38,114 |
| | 2,601,165 | 2,746,996 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

29. **CHANGE IN NON-CASH WORKING CAPITAL ITEMS**

| | 2020 | 2019 |
|--|-------------|-------------|
| | \$ | \$ |
| Decrease (increase) in accounts receivable | (2,604,300) | 691,182 |
| Decrease (increase) in unbilled revenue | 107,891 | (311,295) |
| Increase in inventories | (105,230) | (177,492) |
| Increase in prepaid expenses and sundry assets | (37,439) | (181,146) |
| Increase in accounts payable and accrued liabilities | 2,910,866 | 3,844,518 |
| Increase (decrease) in deposits held | 273,294 | 73,009 |
| Interest received | 407,448 | 424,082 |
| Taxes paid | (903,045) | (2,130,743) |
| Taxes received | 3,642,805 | - |
| Advances (to) from related parties | 24,388 | - |
| | 3,716,678 | 2,232,115 |

30. **PENSION AGREEMENT**

The Company makes contributions to the Ontario Municipal Employees' Retirement Fund (O.M.E.R.S.), which is a multi-employer plan, on behalf of its employees. The plan is a defined benefit plan which specifies the amount of retirement benefits to be received by the employees based on the length of service and rates of pay.

The Actuarial Opinion contained in the 2020 Annual Report disclosed actuarial liabilities of \$113,055 million in respect of benefits accrued for service with actuarial assets of \$109,844 million indicating an actuarial deficit of \$3,211 million. Because O.M.E.R.S. is a multi-employer plan, any pension plan surpluses or deficits are a joint responsibility of Ontario municipal organizations and their employees. As a result, the organization does not recognize any share of the O.M.E.R.S. pension surplus or deficit.

The amount the Company contributed to O.M.E.R.S. for the year was \$678,739 (2019 - \$664,314).

31. **CAPITAL DISCLOSURES**

The Company's primary objective when managing capital is to address the expectations as provided in the Shareholder Agreement between the Company's parent company, Newmarket Hydro Holdings Inc. and its shareholder, the Town of Newmarket. The expectation is that the Company will maintain a prudent financial structure in order to safeguard the Company's assets and to provide adequate returns for its shareholders and benefits to the stakeholders.

Changes to the Company's capital structure are constrained by existing covenants contained in the banking agreement. The Company must maintain a maximum debt to capitalization ratio of 0.60 to 1 and maintain a debt service coverage ratio of 1.2. As at year end the Company is compliant with these covenants.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

32. FINANCIAL INSTRUMENTS

Financial instruments consist of recorded amounts of cash, accounts receivable, unbilled revenue which will result in future cash receipts, as well as accounts payable and accrued liabilities, bank loan, deposits held, due to shareholder, long-term debt and subordinate debt which will result in future cash outflows.

The Company does not believe that it is exposed to significant foreign exchange risk or market risk.

There has been no significant change in the risk exposure of the company in the year as a result of the COVID-19 pandemic. Refer to note 35 for additional disclosure related to COVID-19.

The Company is exposed to the following risks in respect of certain financial instruments held:

(a) Interest rate risk

The Company manages exposure to interest rate risk through a combination of fixed and floating rate borrowings. Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Company is exposed to interest rate cash flow risk to the extent that the floating rate credit facility bears interest at a floating rate. The Company is also exposed to interest rate price risk to the extent that loans bear interest at fixed rates and has entered into an interest rate swap arrangement to manage the impact of fluctuating interest rates on bank loan payable. The swaps require the periodic exchange of interest payments without the exchange of the notional principal amount on which the payments are based (notes 5, 15, 17 and 19).

(b) Credit risk

Financial assets carry credit risk that a counter-party will fail to discharge an obligation which would result in a financial loss. Financial assets held by the Company, such as accounts receivable, expose it to credit risk. The Company earns its revenue from a broad base of customers located in the service area. No single customer accounts for revenue in excess of 10% of total revenue.

The carrying amount of accounts receivable is reduced through the use of an allowance for impairment and the amount of related impairment loss is recognized in the statement of income. Subsequent recoveries of receivables previously provisioned are credited to the income statement. The balance of the allowance for impairment at December 31, 2020 is \$525,633 (2019 - \$277,308). The Company's credit risk associated with accounts receivable is primarily related to payments from distribution customers. The Company has approximately 52,000 customers, the majority of which are residential. Credit risk is managed through collection of security deposits from customers in accordance with directions provided by the OEB. As at December 31, 2020, the Company holds security deposits in the amount of \$3,525,760 (2019 - \$3,252,466). The Company's activities provide for a variety of financial risks, particularly credit risk, market risk and liquidity risk. The accounts receivable balance is expected to be fully repaid within 90 days excluding the allowance for doubtful accounts portion of the balance.

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

32. **FINANCIAL INSTRUMENTS, continued**

(c) *Liquidity risk*

The Company does have a liquidity risk in accounts payable and accrued liabilities of \$22,320,871 (2019 - \$19,410,005). Liquidity risk is the risk that the Company cannot repay its obligations when they become due to its creditors. The Company reduces its exposure to liquidity risk by ensuring that it documents when authorized payments become due; maintains an adequate line of credit to repay trade creditors and repays long-term debt interest and principal as they become due. In the opinion of management the liquidity risk exposure to the Company is low and is not material.

The following are contractual maturities of financial liabilities, including estimated interest payments:

| | Between 0-3 months \$ | Between 4-12 months \$ | Over 1 year \$ |
|--|-----------------------------|------------------------------|-------------------|
| Accounts payable and accrued liabilities | 22,320,871 | - | - |
| Deposits held | 214,203 | 642,608 | 2,668,949 |
| Long-term debt | 149,966 | 2,459,792 | 20,516,378 |
| Employee future benefits | - | - | 1,697,623 |
| Bank loan | - | - | 2,750,000 |
| Subordinated debt | - | - | 23,742,821 |
| | 22,685,040 | 3,102,400 | 51,375,771 |

NEWMARKET HYDRO HOLDINGS INC.
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
For the year ended December 31, 2020

33. CONTINGENT LIABILITIES

(a) In the normal course of business, the Company enters into agreements that meet the definition of a guarantee. The guarantees include indemnities under lease agreements, purchase and sale agreements, confidentiality agreements, outsourcing, service and information agreements. The nature of these indemnification agreements prevents the Company from making a reasonable estimate of the maximum exposure due to the difficulties in assessing the amount of liability related to the likelihood and predictability of future events. Historically, the Company has not made any significant payments under similar indemnification agreements and therefore no amount has been accrued in the statement of financial position with respect to these agreements.

(b) Indemnity has been provided to all directors and/or officers of the Company for various items including, but not limited to, all costs to settle suits or actions due to association with the Company, subject to certain restrictions. The Company has purchased directors' and officers' liability insurance to mitigate the cost of any potential suits or actions. The amount of any potential future liability which exceeds the amount of insurance coverage cannot reasonably be determined.

(c) The Company participates with other municipal utilities in Ontario in an agreement to exchange reciprocal contracts of indemnity through the Municipal Electric Association Reciprocal Insurance Exchange. Under this agreement, the Company is contingently liable for additional assessments to the extent that premiums collected are not sufficient to cover actual losses, claims and costs experienced.

34. COMPARATIVE FIGURES

The financial statements have been reclassified, where applicable, to conform to the presentation used in the current year. The changes do not affect retained earnings or equity.

35. COVID-19

On March 11, 2020, the World Health Organization categorized COVID-19 as a pandemic.

On March 25, 2020 the Ontario Energy Board acknowledged that electricity distributors may incur incremental costs as a result of the ongoing COVID-19 pandemic, the severity and duration of which is uncertain at this time. The OEB established Account 1509 – Impacts Arising from the COVID 19 Emergency, together with three sub-accounts, for electricity distributors to use to track any increments costs and lost revenues related to the COVID-19 pandemic. Although the Company is tracking these amounts, no amount has been included in Account 1509 as a result of the impact of COVID-19 as it is not yet determined if these amounts are recoverable.

The full impact continues to evolve as of the date of this report, however the Company does not expect there to be any long term significant impact to liquidity and exposure to credit risk given the nature of operations.

RESOLUTIONS OF THE SOLE SHAREHOLDER OF NEWMARKET HYDRO HOLDINGS INC.

WHEREAS the Corporation of the Town of Newmarket (the “Sole Shareholder”) is the sole shareholder of the Corporation;

AND WHEREAS the Sole Shareholder by a Shareholder Declaration dated November 1, 2000 appointed the Mayor as its legal representative for the purpose of communicating any shareholder consent or approval required by either the terms of the Shareholder Declaration or the *Business Corporations Act* (Ontario) (the “*OBCA*”);

AND WHEREAS the Corporation owns a majority of the common shares of Newmarket-Tay Power Distribution Ltd. (“NT Power”) and Envi Networks Ltd. (“Envi”); and pursuant to s.102(2) of the *OBCA* where a body corporate is the shareholder of a corporation the corporation shall recognize any individual properly authorized by the body corporate to represent it at meetings of shareholders of the corporation;

AND WHEREAS pursuant to s.104 of the *OBCA* a written resolution dealing with all the matters required to be dealt with at a shareholders meeting and signed by the shareholders entitled to vote at that meeting satisfies all requirements of the *OBCA* relating to that meeting of shareholders;

NOW THEREFORE BE IT RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. THAT the Mayor, as the Sole Shareholder’s legal representative, is directed to sign the following Corporation Shareholder resolutions:

- a. THAT the Corporation’s financial statements for the financial year ended December 31, 2020 together with the report of the Corporation’s auditors, Baker Tilly KDN LLP (“Baker Tilly”), Chartered Accountants, thereon dated May 19, 2021 be approved and adopted; and
- b. THAT Baker Tilly, Chartered Accountants, be appointed auditors of the Corporation to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the sole director and the sole director is authorized to fix such remuneration; and
- c. THAT Ian McDougall, be appointed as the sole director of the Corporation to hold office until the next annual meeting of shareholders or until his successor is elected or appointed; and
- d. THAT Ian McDougall, so long as he is the sole director of the Corporation, shall represent the Corporation at meetings of shareholders of NT Power and Envi; and

**RESOLUTIONS OF THE SOLE SHAREHOLDER
OF NEWMARKET HYDRO HOLDINGS INC.**

e. AND THAT all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the sole director and sole officer of the Corporation to December 31, 2020, as the same are set out or referred to in the resolutions of the sole director, or in the financial statements of the corporation, are approved, sanctioned and confirmed.

2. AND THAT the Mayor, as the Sole Shareholder's legal representative, direct Ian McDougall, the sole director and legal representative of the Corporation, to sign the following NT Power shareholder resolutions in lieu of an annual meeting:

a. THAT the financial statements of NT Power for the financial year ended December 31, 2020 together with the report of NT Power's auditors, Baker Tilly, thereon dated April 28, 2021 be approved and adopted.

b. THAT Baker Tilly, Chartered Accountants, be appointed auditors of NT Power to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration.

c. THAT J. Taylor, T. Walker, D. Charleson, B. Gabel, C. Prattas, D. Priore, and D. Watling are elected directors of NT Power to hold office until the next annual meeting of shareholders or until their successors are elected or appointed.

d. AND THAT all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of NT Power to December 31, 2020, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of NT Power, are approved, sanctioned and confirmed.

3. AND THAT the Mayor, as the Sole Shareholder's legal representative, direct Ian McDougall, the sole director and legal representative of the Corporation, to sign the following Envi shareholder resolutions in lieu of an annual meeting:

a. THAT the financial statements of Envi for the financial year ended December 31, 2020 together with the report of Envi's auditors, Baker Tilly, thereon dated April 8, 2021 be approved and adopted; and

b. THAT Baker Tilly, Chartered Accountants, be appointed auditors of Envi to hold office until the next annual meeting of shareholders at such remuneration as may be fixed by the directors and the directors are authorized to fix such remuneration; and

c. THAT I. Collins, J. Piercy, and B. Kwapis are elected directors of Envi to hold office until the next annual meeting of shareholders or until their successors are elected or appointed; and

August 23, 2021

**RESOLUTIONS OF THE SOLE SHAREHOLDER
OF NEWMARKET HYDRO HOLDINGS INC.**

d. AND THAT all acts, contracts, bylaws, proceedings, appointments elections and payments, enacted, made, done and taken by the directors and officers of Envi to December 31, 2020, as the same are set out or referred to in the resolutions of the board of directors, the minutes of the meetings of the board of directors or in the financial statements of Envi, are approved, sanctioned and confirmed.

Dated as of the 23rd day of August, 2021.

CORPORATION OF THE TOWN OF NEWMARKET

John Taylor, Mayor

Urban Design Guidelines Staff Report to Council

Report Number: 2021-55

Department(s): Planning and Building Services

Author(s): Phoebe Chow, Senior Planner - Policy

Meeting Date: August 23, 2021

Recommendations

1. That the report entitled Urban Design Guidelines dated August 23, 2021 be received; and,
2. That Council approve Attachment 1 to this report titled “Town of Newmarket Urban Design Guidelines” prepared by Fotenn Planning + Design; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to recommend the approval of the Town-wide Urban Design Guidelines.

Background

Currently, different areas of the Town are subject to different urban design policies (i.e., Urban Centres Secondary Plan Area vs. the remainder of the Town). In addition, numerous existing subdivisions are subject to their own urban design guidelines that were prepared as part of their approvals processes. Given the context, Council directed staff to retain a consultant and develop a set of Town-wide urban design guidelines.

In October 2019, Fotenn Planning + Design (Town’s consultant) was retained to prepare the Town-wide Urban Design Guidelines (UDG). Due to the COVID-19 pandemic, the project was delayed and the public engagement process had to adapt to Provincial COVID-19 orders.

Discussion

The UDG is structured as follows:

- Introduction
- Design Objectives
- Built Form Guidelines
- POPS Guidelines
- Demonstration Plans
- Implementation

All guidelines contained in the UDG are built upon the Town's Official Plan and Secondary Plan urban design policies, Zoning By-laws, and best practices in other municipalities. The UDG are intended to guide the design of buildings, development sites and Privately Owned Public Space (POPS). It should be noted that where numerical values of development standards are recommended in the UDG, in many cases, they are based on the Town's Zoning By-laws. Where the recommended standards are more stringent/restrictive than those of the Zoning By-law, the intent of those guidelines will be used in designing and reviewing development applications. While staff will work with applicants towards achieving the objectives of the UDG in every development, it is important to remember that these are guidelines and not zoning regulations. In some cases, an individual guideline might not be met, but the overall design may still be acceptable where the intent of the guideline is achieved.

The following paragraphs summarize the main sections of the UDG.

Eight Objectives that Make a Development Great

The built form guidelines, which are discussed in the following section, were developed by asking the question "what are the elements that make a development great?" The answer to the question resulted in the following eight objectives, which form the overarching framework for the UDG:

1. Fit harmoniously into the established context
2. Mitigate impacts on adjacent properties
3. Create attractive, human-scaled buildings
4. Support walkability and active transportation
5. Minimize vehicle presence in the public realm
6. Promote vibrant streets
7. Provide amenity space for all residents
8. Ensure safety and accessibility for all

Built Form Guidelines

In the UDG, each built form (i.e. single- and semi-detached, townhouses, low-rise, mid-rise, and high-rise) has its own section where individual guidelines supporting each of the eight objectives can be found. As previously mentioned, some of the built form guidelines are based on current zoning standards, such as side yard setbacks, building height, angular plane etc. However in many cases, the UDG provide further guidance to help achieve the eight objectives. For example, in a Zoning By-law, front yard setback is often used to guide the siting of a single detached dwelling and to establish/reinforce the established streetwall, which is one of many elements to consider when a new development needs to fit into the existing context. To achieve the objective of “fit harmoniously into the established context”, the Single-detached and Semi-detached Dwelling section of the UDG references this setback requirement, but further recommends that these forms of development be oriented parallel to the street and that the style of the dwelling “should reference (but not replicate) the prevailing character, including height, roof and cornice lines, ground floor heights, pilasters, window location and proportions, porches, brick and material colours etc.”

Privately Owned Public Space Guidelines

POPS are an important element of great developments. They help “provide amenity space for all residents”. Furthermore, POPS are permitted as a form of parkland in the urban centres by the Town’s Parkland Dedication By-law and are becoming increasingly popular amongst developers as a way to help meet parkland requirements. At this time, the Town’s design guidance on this type of parkland is minimal, and therefore it was determined that POPS guidelines would form part of the UDG.

POPS may take various forms such as pocket parks, urban plazas, internal courtyards, pedestrian mews, and more. When POPS is proposed as part of a development, applicants are encouraged to review the POPS guidelines prior to designing the space. Similar to the Built Form guidelines, it is the intent of the POPS guidelines that should be achieved.

The POPS guidelines are organized by the following themes:

- Location – where should POPS be located
- Design – how to design POPS and its relationship with adjacent uses
- Programming – what uses/programs should be accommodated in POPS
- Safety – safety features/considerations when designing POPS
- Access and Accessibility – how to make POPS accessible
- Microclimate – design features in POPS that help control microclimate

Implementation of the Urban Design Guidelines

Upon Council’s approval of the attached UDG, any new development or additions to existing buildings, regardless of the proposed built form, will be reviewed against the approved UDG. It is recognized that there may be limited abilities to fully address the

guidelines for additions to existing buildings, but staff will encourage applicants to achieve the design objectives, where possible. However, where design guidelines have been previously approved as part of the subdivision process, these will continue to apply to those lands within the subdivision.

For a 3-year period following the approval of the UDG, the Town's consultant will assist staff in the review of larger-scale developments under the UDG. Over this period, staff will learn and benefit from the assessment experience of the consultant, and staff will be prepared to handle independent reviews following the 3-year period. This course of action was approved by Council in [June 2016](#).

Conclusion

The attached UDG provides guidance to both staff and developers/land owners on Council's expectations of the design quality in the Town. Upon Council's approval, staff will review new development applications against the UDG to strive for high design quality buildings and POPS.

Business Plan and Strategic Plan Linkages

- Extraordinary Places and Spaces
- Vibrancy on Yonge, Davis and Mulock

Consultation

Virtual Public Information Centres

Due to the COVID-19 pandemic, the first Public Information Centre (PIC), which was originally scheduled for April 2020, was postponed to November 2020. Since in-person consultation was not possible, a dedicated project site on HeyNewmarket was created as a form of communication platform between the project team and members of the public. The first virtual PIC was launched in November 2020 and it introduced the project and the various built forms by posting electronic information display boards and a recorded presentation on the Town's website and HeyNewmarket. The project site on HeyNewmarket also included an online visual preference survey to collect initial public feedback on the various building typologies. Survey participants were given different images of each building typology and POPS, and were asked to select the image that they prefer the most under each category and provide reasons/list the preferred design element(s). Some common themes resulted from the visual preference survey include: appropriate scale and height; well-landscaped properties, and parking hidden from street.

On May 27, 2021, a second PIC was held via Zoom where the Town's consultant presented the main components of the draft UDG and answered questions from members of the public. An engagement activity was also published on HeyNewmarket to gather public input on what design elements/considerations are important to residents

when they are given three hypothetical development scenarios. Inputs received have been used to develop the three demonstration sites that form part of the final UDG.

Council Workshop

Following the second PIC, a Council Workshop was held on June 28, 2021. Main comments received from members of Council regarding the draft UDG include:

- Ensure strong POPS guidelines, and
- Encourage creativity by utilizing built form/buildings or public art.

Staff have worked with the Town's consultant in strengthening languages in the POPS Guidelines section and added/revised certain guidelines to clearly articulate the intent of such guidelines from an implementation perspective. Furthermore, the final UDG have included guidelines in appropriate sections that encourage unique buildings or integrating public art into building design.

In addition, members of Council have also expressed the importance of the following design considerations:

- Connectivity between development site and open space;
- Accessibility within development site as well as to/from public space and commercial uses, and
- Appropriate height and density transitions to existing residential uses.

Development Industry

The draft UDG was circulated to the Building Industry and Land Development Association (BILD) as well as developers who have development applications at the Town for review and comment. No comments were received from BILD at the time of this report's preparation.

Comments received from developers/applicants focused on guidelines for single-detached, semi-detached and townhouses. Specifically, the comments were related to building height, building separation distance, stepbacks on upper storeys, and clarity on angular plane. The Town's consultant has addressed these comments in the final UDG.

Human Resource Considerations

None

Budget Impact

None

Attachments

Attachment 1 – Town of Newmarket Urban Design Guidelines, prepared by Fotenn Planning + Design dated August 2021

Submitted by

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Approved for Submission

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| Town Of Newmarket

Urban Design Guidelines







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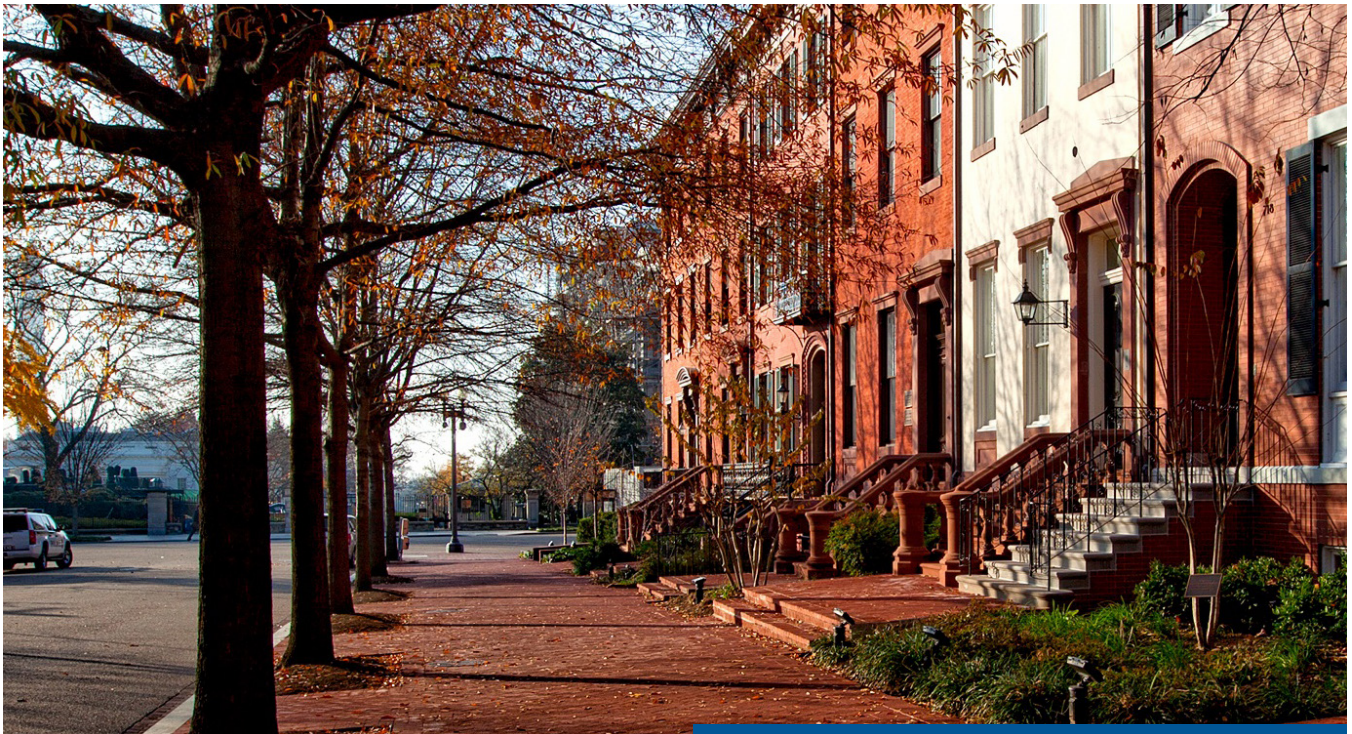
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1.0 Introduction and Overview

1.1 Purpose of the Guidelines

The Town of Newmarket is experiencing steady growth and development. In accommodating this growth, it is important to ensure that new development projects are inspirational and promote and support the highest quality of urban design and placemaking.

At the highest level, the Town of Newmarket Official Plan provides the core goals and foundational policies to pursue design excellence through new development projects, including Town-wide Urban Design and Compatibility policies, and area-specific policies for the Urban Centres and Historic Downtown. As the primary location for new growth and intensification, the Yonge Street and Davis Drive Urban Centres are further informed by detailed Urban Design and Sustainability policies within the Urban Centres Secondary Plan and subsequent direction in the Newmarket GO Station Mobility Hub Study. Likewise, as development pressure increases within its established neighbourhoods, the Town has recently approved amendments to its Official Plan and Zoning By-law to ensure



Great buildings frame and address attractive, tree-lined streets to create enjoyable pedestrian environments.

design compatibility for new buildings within existing residential neighbourhoods. Finally, the Town's Parks Policy Development Manual and Parkland Dedication Bylaw offer guidance for the design and implementation of parkland within new development. In addition to these policies, numerous existing subdivisions are subject to their own Urban Design Guidelines prepared as part of their approvals processes.

As exemplified above, some areas of the Town are subject to a variety of urban design policies while other areas have a unique character/quality that could benefit from more context-sensitive urban design policies. In either case, both the development community and the Town are tasked with referencing multiple documents when preparing and evaluating development applications. Building on and augmenting existing policies, the Urban Design Guidelines for the Town of Newmarket (the Guidelines) aim to provide consolidated and comprehensive design direction that fulfills multiple roles in the Town's development process by (1) enticing developers

to create great buildings by providing certainty through the clear articulation of the Town's priorities and expectations for new development; (2) equipping the Town with a robust, yet simple, evaluation process tied to design intent; and, (3) educating the public about the elements of great buildings, and their importance as the Town grows and faces increasingly complex challenges.

The Guidelines identify and ingrain the foundational elements of great buildings into the Town's development review process. They will ensure that new development promotes and supports high-quality design, and that all new private-realm projects reinforce healthy, vibrant and complete communities. They provide a flexible, intent-based approach that addresses the range of building typologies and scales that exist throughout the Town. In addition, high-level Privately-Owned Public Space (POPS) Guidelines provide design standards for parkland within the Yonge Street and Davis Drive Urban Centres.

1.2 Application of the Guidelines

The Urban Design Guidelines address a range of building typologies, including low-rise, mid-rise and high-rise buildings, and are applicable to all development applications in the Town of Newmarket. The POPS guidelines (Section 5.0) are applicable within the Yonge Street and Davis Drive Urban Centres, where a range of progressive parkland typologies are permitted. However, where appropriate, the POPS guidelines may be used to inform the design of similar parkland proposals elsewhere in the Town.

The Guidelines will be used by Planning staff in the review and evaluation of development applications. Therefore, the Guidelines should be used by landowners/developers, and their consultant teams, to inform projects as early as the pre-consultation stage.

The land uses outlined on Schedule A (Land Use) of the Town's Official Plan are used to inform and focus the Guidelines. However, it is the intention of the Guidelines to provide direction related to built form rather than to determine the appropriateness of a particular use within its proposed location. The policies and permissions of the Official Plan should take precedence in determining the appropriateness of a particular land use.

Similarly, where a property is subject to existing subdivision/area-specific design guidelines, those documents take precedence over the Guidelines.

The Urban Design Guidelines are designed as both an inspirational and an instructional document. They identify and describe the foundational elements that underly great buildings and use these as the primary structuring element for the guidelines in Section 4.0. For quick reference and evaluation purposes, the Key Metrics for each typology are summarized in an Evaluation Matrix at the end of section.

Prior to undertaking a design, it is expected that a developer will become familiar with the Design Objectives described in Section 3.0. From there, only the relevant building typology/ies in Section 4.0 need to be referenced. Where a development proposal includes multiple building typologies, the relevant guideline sections should be augmented using the Demonstration Plans in Section 6.0 to understand how different typologies should work together on a site.

The guidelines in Section 4.0 are best practices and should be used as a starting point to facilitate meaningful discussions between Planning staff and the development community.

The Guidelines should not be interpreted as the only design solution and should not stifle unique and/or creative designs.

In organizing the guidelines by Design Objectives, the goal is to clearly articulate and highlight the importance of intent when interpreting the guidelines. While a proposal should generally conform to the guidelines, it is recognized that alternative solutions may be appropriate to respond to a specific context, or to achieve a

particular design/development objective. In such cases, the onus is on an applicant to demonstrate that their project satisfies the Design Vision of each typology, and that the building performs in a way that is consistent with the Design Objectives outlined in Section 3.0. In these cases, the merits of a project should be considered on a case-by-case basis, and if additional advice is required, subject to a Peer Review process.



Buildings with vibrant, active frontages ensure the safe use of adjacent open spaces at all times of the day.

1.3 Structure of the Document

The Guidelines are divided into seven sections, as follows:

1.0 Introduction & Overview: Outlines the purpose of the Guidelines, including their role within the existing policy framework. Identifies where the Guidelines are applicable across the Town, and how they should be used by the development community, Planning staff and the public. Highlights the important role that intent plays when interpreting and applying the Guidelines.

2.0 Public Engagement Overview: Provides an overview of the two Public Information Centres that were held as part of the process, including an overview of the activities undertaken, the data collected, and how it was used to inform the Guidelines.

3.0 Design Objectives: Distills and describes the common foundational elements that make up a great building, regardless of its scale or typology. Introduces the organizational structure that informs the design guidelines that follow. Supports flexibility and creativity in the application of the Guidelines by introducing and describing the broader objectives that the Guidelines intend to address.

4.0 Built Form Design Guidelines: Introduces the building typologies, including single- and semi-detached, townhouses, low-rise, and high-rise buildings. Provides a sub-section for each that includes (1) a general description; (2) the Design Vision (as translated from the Design Objectives in Section 3.0); (3) comprehensive guidelines organized by the Design Objectives; and, (4) an Evaluation Matrix that summarizes the key metrics.

5.0 POPS Design Guidelines: Introduces the POPS typologies covered in the Guidelines, including pocket parks, urban squares and plazas, sliver spaces, strata parks, internal courtyards, and pedestrian mews. Outlines the Design Vision for POPS, comprehensive guidelines organized by the Design Objectives in Section 3.0, and an Evaluation Matrix that summarizes the key metrics.

6.0 Demonstration Plans: Illustrates the application of the Guidelines, using three representative sites, to demonstrate how multiple typologies can work together to create an attractive and unified site.

7.0 Guideline Implementation: Provides a step-by-step overview of the implementation process recommended for the Town to ensure successful use and application of the Guidelines, including action items, education and training programs, and monitoring and updating programs.

2.0

Public Engagement Overview

The Urban Design Guidelines were completed in close collaboration with the Newmarket community and local Councillors and included two Public Information Centres (PICs), a Council Presentation/Workshop, and ongoing opportunities to provide feedback online through HeyNewmarket.ca.

An overview of each of these sessions, including the feedback received, is provided in the following sections.

Public Information Centre # 1

The first Public Information Centre was held on Nov 10, 2020. This PIC included an online presentation on the Town's Youtube page that could be viewed at any time. The objective of the presentation was to:

- Provide an overview of the study and process;
- Introduce the study team;

- Present the relevant Policy Framework;
- Provide an overview of Urban Design and Urban Design Guidelines; and,
- Outline the building typologies to be addressed (i.e. Low-Rise, Mid-Rise, High-Rise and POPS).

The presentation was viewed over 300 times and provided the foundation for meaningful input for the remainder of the project.

An online survey was prepared and posted on HeyNewmarket.ca. For each of the built form typologies, the survey asked what design elements are most important, and then presented a series of precedents to determine what participants liked/disliked about each, and whether they were appropriate in Newmarket.

The findings of the survey are summarized in the table on the following page, and were used to inform the development of the draft Urban Design Guidelines:

| Guideline Typology | Most Important Design Elements | Visual Preference Survey |
|---|---|--|
| <p>Low-Rise Buildings</p>  | <p>The most important things to consider include:</p> <ul style="list-style-type: none"> - Neighbourhood Character - Driveway and Garage Location - Privacy/Overlook - Building Height and Massing | <p>Of the images presented, participant responses favoured:</p> <ul style="list-style-type: none"> - A modest scale and density - A variety of design styles (traditional, contemporary, etc.) - Complementary building styles - High-quality materials and features - Well landscaped properties - Parking hidden from street - Large, numerous windows - Connection to the street (i.e. front-yard entrances and patios) - Ease of accessibility (i.e. minimal steps) |
| <p>Mid-Rise Buildings</p>  | <p>The most important things to consider include:</p> <ul style="list-style-type: none"> - Building Design and Articulation - Relationship to Adjacent Properties - Building Height and Massing - Sun Access and Sky Views - Ground Floor Design | <p>Of the images presented, participant responses favoured:</p> <ul style="list-style-type: none"> - Greater scale and density - Buildings that reflected their context - Human-scaled massing (i.e. podium) - Well articulated buildings (i.e. stepbacks, terraces, etc.) - A mix of uses (i.e. ground level retail) - Energy efficient buildings (i.e. limited glass) - Well landscaped properties - Parking hidden from street - Private patio and amenity spaces |
| <p>High-Rise Buildings</p>  | <p>The most important things to consider include:</p> <ul style="list-style-type: none"> - Fit and Transition - At-Grade Condition - Building Elements - Tower Floorplate and Separation - Ground Floor Height | <p>Of the images presented, participant responses favoured:</p> <ul style="list-style-type: none"> - Careful consideration of height, density and separation - Contemporary design - Well articulated buildings (i.e. architectural details, etc.) - A mix of uses (i.e. ground level retail) - A variety of materials - Large, numerous windows - Well landscaped properties with amenity - Parking hidden from street - Private patio and amenity spaces |
| <p>POPS</p>  | <p>The most important things to consider include:</p> <ul style="list-style-type: none"> - Pedestrian Amenities - Safety and Visibility - Size and Shape - Public/Private Interface - Signage and Wayfinding - Shade and Microclimate | <p>Of the images presented, participant responses favoured:</p> <ul style="list-style-type: none"> - Visually attractive spaces - Human-scaled spaces - Space to gather and socialize - Well landscaped spaces - Public access and ownership - Walkability - Safety and cleanliness |

Public Information Centre # 2

The second Public Information Centre was held on May 27, 2021. The PIC included a presentation on the Town's Facebook Live page. The objective of the presentation was to present and receive feedback on the draft Urban Design Guidelines, which were also posted on HeyNewmarket.ca for review.

After a brief introduction of the project team and overview of the project, the presentation focused on the Guidelines, including:

- Application and Use;
- Design Objectives;
- Approach and Overview; and,
- Implementation.

The presentation also provided a brief question and answer period to allow members of the public to ask questions about the guidelines.

The presentation was augmented by a hands-on activity on HeyNewmarket.ca where participants were encouraged to review three hypothetical Demonstration Sites (see next page) and to provide feedback on the type of development that is appropriate for the space. Specifically, participants were asked to consider:

- Land uses (i.e. retail, residential, office, parkland)
- Building typologies (i.e. townhouse, low-rise, mid-rise)
- Building heights

- Transitions to adjacent properties/uses
- Building design and features
- Access and parking
- New streets (if appropriate)
- Street interface
- Pedestrian connections

The feedback received was combined with the feedback from the Council Presentation/Workshop and used to populate the Demonstration Sites in Section 6.0.

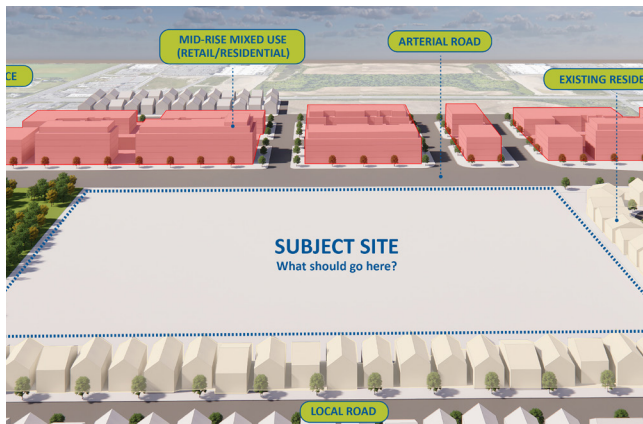
Council Presentation/Workshop

A Council Presentation/Workshop was held on June 28, 2021. The objective of the presentation was to present and receive additional feedback on the draft Urban Design Guidelines and to provide Council with the opportunity to ask questions related to the Guidelines and their implementation.

Following the presentation, and the questions and answer session, Councillors built on the findings of PIC # 2 by providing their thoughts on the development potential for Demonstration Site # 1.

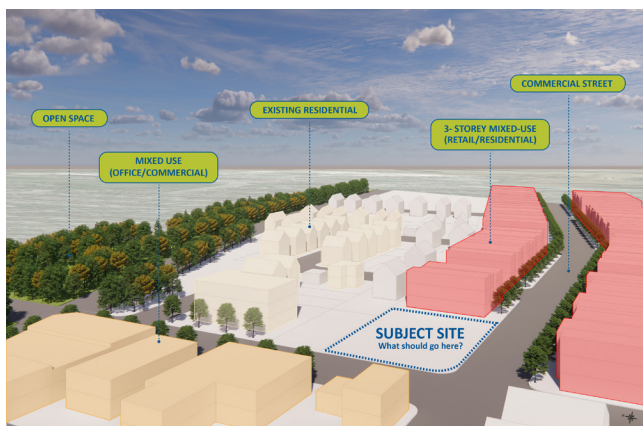
The feedback received was combined with the feedback from PIC # 2 and used to populate the Demonstration Sites in Section 6.0.

Key feedback for PIC # 2 and the Council Presentation/Workshop are summarized on the following page and were used to inform the Development Sites in Section 6.0:



Demonstration Site # 1 Large Site on an Arterial Road

- Provide connected green space including natural areas, parks, community gardens, etc.
- Pull adjacent green space into the site (i.e. central garden with retail fronting)
- Mid-rise, mixed-use buildings on Arterial Road with minimal shadow impacts
- Wide, pedestrian sidewalks on Arterial Road
- Townhouses to transition to adjacent residential
- Provide parking for local amenities



Demonstration Site # 2 Gateway Site on a Commercial Street

- Continue with a continuous row of mixed-use buildings
- Low-rise buildings to complement the existing character
- Provide green space to complement the mix of uses in the area



Demonstration Site # 3 Residential Infill Site

- Provide 3 to 4-storey townhouses to complement the existing character
- Provide additional green space for local residents
- Provide neighbourhood amenities (i.e. splash pad, playground, etc.)

3.0

Design Objectives

The Urban Design and Compatibility policies of the Town of Newmarket Official Plan (Section 12) identify six simple but important design principles that apply to all types of development:

- Design in context with the natural and built environments;
- Connectivity;
- Pedestrian amenities;
- Usable common areas;
- Safety; and,
- Visual quality and aesthetics.

The objective of the Urban Design Guidelines are to build on this foundation to ensure that new development in the Town of Newmarket reflects the highest quality of urban design in built form and site planning, and reinforces a strong sense of place by creating great buildings and places where people want to be.

Traditionally, urban design guidelines aim to inform development by providing comprehensive direction related to all aspects of a project, including site planning (i.e. building location and setbacks, access and loading, landscaping, etc.) and built form (i.e. building height, massing and stepbacks, angular plane transitions, façade articulation, etc.). Often, the result of this process is a highly prescriptive guideline document with detailed metrics that lack a direct connection to the intended objective of creating great buildings and places. Consequently, the guidelines are sometimes interpreted as requirements, rather than ‘guidelines,’ which underscores a contentious relationship with landowners/developers who feel the guidelines unjustly impact their pro-forma. Furthermore, overly-prescriptive guidelines risk limiting creativity by not providing an alternative evaluation process for a development that does not meet the guidelines.



Great buildings should be context-specific and should create a strong public interface.

Like the design principles in the Official Plan, the Urban Design Guidelines aim to provide an overarching framework of objectives by asking the question ‘what are the elements that make a development great?’

By understanding the elements that make a great development, each individual guideline can be tied directly to a clear Design Objective. In this approach, it becomes more important that a development project satisfies the intent of the objective, rather than achieving the specific metric provided. For unique or creative projects, this affords an alternative, more qualitative or performance-based method of evaluation. For more traditional projects, detailed metrics and best practices are provided to ensure great developments achieve the objectives that follow.

Inherently, the goal of any urban design guideline document is to ensure great development. In thoroughly reviewing a number of these documents, and asking the question, ‘what is the

intent of each guideline?’ eight Design Objectives were distilled that reflect and augment the design principles of the Official Plan.

Each of these objectives are described further in the sections that follow and are used to structure the design guidelines in Section 4.0.

“What are the elements that make a development great?”



Objective 1: Fit Harmoniously into the Established Context

Where a new building, or an addition to an existing building, is within or abutting an established neighbourhood, it should be designed, massed and located to respect the predominant context. New buildings should be located to reinforce the established streetwall and front-yard interface with the public realm. A proposed development should generally reflect the height, and be compatible with the density, of adjacent properties. Where new development interfaces with existing, a gradual shift in height and density may be appropriate provided measures are taken to ensure general compatibility in use and form (i.e. height, scale, massing). New buildings should not mimic adjacent and/or historic buildings, and should instead create variation in design through massing, articulation and materials, while respecting and referencing established datum lines (i.e. podium heights, cornices, window alignment). Similarly, where new buildings (of similar or varying typologies) are included in a larger development where no established context exists, they should be carefully executed to ensure they work together to create a cohesive and complementary character.



Objective 2: Mitigate Impacts on Adjacent Properties

Where a new building is proposed, it should be carefully located and massed to mitigate impacts on adjacent and nearby properties, including both existing and future buildings. Most importantly, where a new building transitions to a lower building typology, shadow impacts and privacy concerns should be mitigated through reductions in the overall height of the building, the strategic sculpting of the building's upper storeys, and the design and location of building elements such as balconies, patios, terraces and mechanical equipment. Subject to the established or desired context, new buildings should be located to ensure ample distance between adjacent buildings, to accommodate spacious properties, pedestrian mews, etc. In addition, buildings should have minimal impacts on adjacent streetscapes and should not create any adverse impacts on adjacent or nearby parks and open spaces.



Objective 3: Create Attractive, Human-Scaled Buildings

The design and massing of buildings, including the overall height, as well as the setbacks and facade articulation, should reinforce a human-scaled building that frames the street, and creates a comfortable and legible pedestrian experience. Reflecting their overall scale, buildings should be carefully massed to express their verticality, including clearly differentiating between the ground-level pedestrian plane and the upper levels of the building. Similarly, buildings should use a variety of design techniques (i.e. articulation, materials, etc.) and architectural features (i.e. datum lines, windows, entrances, etc.) to ensure that the internal use of the building is reflected in its external character and that the building is understandable and engaging at a variety of scales.



Objective 4: Support Walkability and Active Transportation

New buildings, both in their design and location, should consider their broader context in order to promote and support walkability and active transportation. At the highest level, buildings should be located and arranged to reinforce permeable blocks that promote convenient access to, and through, their neighbourhoods and that provide strategic connections to neighbourhood destinations, including parks and amenity spaces, community facilities, etc. Buildings should be located to ensure that high-traffic uses, such as main entrances, indoor/outdoor amenity areas, pedestrian mews, etc. align with existing pedestrian circulation routes and where possible, transit stops. Cycling should be prioritized in all buildings, including ample parking in close proximity to main entrances and amenity spaces. Safe, easily accessible and weather-protected bicycle storage should be provided for longer-term use.



Objective 5: Minimize Vehicle Presence in the Public Realm

On-street parking plays a pivotal role in neighbourhoods, providing convenient resident, visitor and patron parking, while enhancing safety by narrowing streets and reducing traffic speed. However, parking and vehicle access and circulation should not encumber pedestrian safety, access and/or enjoyment of the street. Where vehicle parking is provided, it should be located where it will have minimal impacts on the public realm. This includes visual impacts, such as vehicles being a predominant feature of the streetscape, as well as physical impacts, such as disruptions to pedestrian circulation routes (i.e. continuous curb-cuts) and potential pedestrian/vehicle conflicts. Vehicles should not be a substantial driver in the design of a building, and garages, access, etc. should be discreet and unobtrusive from the public realm.



Objective 6: Promote Vibrant Streets

Much of the enjoyment of a public street is tied to the interface with adjacent private uses. New buildings should be oriented, located and designed to respond to and activate the adjacent public street. While buildings should generally be located close to the street, ample space should be provided to accommodate a positive transition between the public and private realm. This transitional space should reflect and support the interior use of the building, and may be public, semi- or entirely private. In either case, it should be carefully designed to reinforce a varied, attractive and memorable streetscape. Equally important, the ground floor of the building, including both its design and arrangement of internal uses, should activate the public streetscape, provide opportunities for internal/external exchange, and enhance public safety through casual surveillance.



Objective 7: Provide Amenity Space for all Residents

New buildings should provide amenity space for all residents, including a mix of public/private space, as well as indoor/outdoor space. Where appropriate this may simply include traditional, private rear-yards. However, in larger buildings, amenity space may be provided through a mix of internal space, private outdoor space (i.e. patios) and/or shared outdoor amenity space (i.e. terraces, courtyards, etc.). Regardless of its configuration, the design and location of amenity space should be carefully considered to maximize sunlight access, connectivity (where appropriate), safety and usability. Amenity space may also play a pivotal role in on-site stormwater, reducing impervious surfaces and providing opportunities for low impact development and landscape techniques that can capture and absorb stormwater.



Objective 8: Ensure Safety and Accessibility for All

The design of all new buildings should adhere to a 'Safe by Design' approach to ensure the safety and accessibility of all users, at all times of day. Buildings, and their surrounding sites, should adhere to, and wherever possible exceed, the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) to ensure barrier-free access for people of all ages and abilities. Similarly, building and site design should follow the principles of Crime Prevention Through Environmental Design to ensure the safety of users at all times of day through careful consideration of building location and ground-level design, lighting standards and location, and opportunities for casual surveillance or 'eyes on the street.'

4.0

Built Form Design Guidelines

4.1 Overview

The Town of Newmarket is experiencing steady growth and development. This growth will be accommodated in a variety of building forms and typologies, from single-detached dwellings to high-rise buildings, and within a variety of contexts, from new large scale developments to smaller infill projects. In anticipation of this growth, it is important to ensure that new development promotes and supports sustainability and urban resilience, and that all new development projects, in both the public and private realm, reinforce healthy, vibrant and complete communities.

Built form design guidelines promote a higher standard of design across the Town that is grounded in a comprehensive understanding of the local opportunities and constraints, and



Built form addresses the way a building is perceived but also how it impacts the public realm.

the unique characteristics that define the Town of Newmarket, such as its historic downtown Main Street and Urban Centres, its reputation for being one of the country's most dynamic, diverse and desirable towns to live and work, and a place with a reputation for innovation.

The following section provides an overview of the building typologies that may be appropriate in Newmarket, and includes:

- Single- and Semi-Detached Dwellings;
- Townhouses;
- Low-Rise Buildings;
- Mid-Rise Buildings; and,
- High-Rise Buildings.

For each of the above typologies, a Design Vision outlines the general intent of these buildings. Comprehensive guidelines and precedents are provided to inform the design and development of each building typology, and an Evaluation Matrix summarizes the key metrics for quick reference and evaluation.

“Built form design guidelines promote a higher standard of design across the Town”

4.2 Single- and Semi-Detached Dwellings

4.2.1 Description

Single-detached dwellings are a stand-alone building that generally houses a single (or multi-generational) family, with individual access to both private front and rear yard amenity space. A semi-detached dwelling shares an internal wall with its immediate neighbour, and is often narrower than a single-detached dwelling, but otherwise enjoys all the same amenities. Single- and semi-detached dwellings may have a more standard, peaked roof style or a contemporary, often flat roofed style.

Single- and semi-detached dwellings are the least dense type of housing, and generally characterize existing and established residential neighbourhoods. They provide the most private and spacious residential experience, and are therefore often less affordable than other forms of housing. Given their limited capacity for intensification, new single- and semi-detached dwellings are generally discouraged in an urban context outside of established neighbourhoods. However, existing dwellings are regularly replaced, and vacant lots infilled, and it is important that these new dwellings are designed, massed and located to a high standard.

Within Residential Areas, single- and semi-detached dwellings should be used to promote infill and new development at a scale and character that is compatible with the established neighbourhood.



Single- and semi-detached dwellings include a range of designs and styles, and may include more traditional peaked-roof forms or more contemporary and modern flat roof designs.

4.2.2 Design Vision

New single- and semi-detached dwellings should reinforce the height, scale and lot coverage of the neighbourhood in which they are located. Within new sub-divisions, single- and semi-detached dwellings should be used strategically to provide diverse housing options and should generally provide greater density than established neighbourhoods. Single- and semi-detached dwellings may reflect a variety of styles, but should generally be compatible with each other. They should be designed and oriented to facilitate interactions between neighbours, and passers-by, and should enhance and create variety along adjacent streets through private front yard treatments. Garages should be secondary to the primary building, and parking should be located on-street, where permitted, or at the back of the dwelling where possible.



4.2.3 Design Guidelines

To achieve the Design Vision, the Design Objectives in Section 3.0 were used to organize a series of design guidelines to ensure that new single- and semi-detached dwellings:

4.2.3(1) Fit Harmoniously into the Established Context

- A)** Single- and semi-detached dwellings should be oriented parallel to the street to reinforce the established streetwall.
- B)** Single- and semi-detached dwellings should be set back from the front lot line no greater than 1.0m from the average setback of the adjacent properties within 60m on each side to generally reinforce the existing streetwall. On corner lots, dwellings should be located to reinforce both streetwalls.
- C)** Where front-yard parking is proposed, and is a predominant characteristic of the neighbourhood, a 6.0m setback is recommended to accommodate a driveway.
- D)** Notwithstanding the above, slight variations in setbacks may be appropriate to create a more interesting streetscape.
- E)** Side-yard setbacks should provide ample spacing between buildings and should generally reinforce the average setbacks established by existing buildings on the same street.
- F)** Where no side-yard setbacks exist, 1.5m should be provided to maintain ample spacing between buildings.
- G)** Single- and semi-detached dwellings should be designed, massed and located to generally reflect their context, including building height, lot dimensions, lot frontage, setbacks, lot coverage, etc.
- H)** More contemporary dwelling styles may be appropriate, but their design and articulation should reference (but not replicate) the prevailing character, including height, roof and cornice lines, ground floor heights, pilasters, window location and proportions, porches, brick and material colours, etc.
- I)** Notwithstanding the above, a range of distinct but complementary façade designs, rooflines, materials and architectural details are encouraged to create variation within a streetscape.



New dwellings should match established setbacks and datum lines to fit harmoniously into their context.

4.2.3(2) Mitigate Impacts on Adjacent Properties

- A) Large, blank walls should be avoided. A material treatment that is generally consistent with the primary frontages should be extended to all sides of the dwelling.

4.2.3(3) Create Attractive, Human-Scaled Buildings

- A) Within Residential Areas, single- and semi-detached dwellings should have a maximum height of 8.5m with the exception of those areas identified within the Town's Maximum Building Height Special Provisions Area, which should be 8.0m.
- B) Individual floors should be easily discernible from the exterior of the building to break the height of the building into easily perceivable sections.
- C) Slight differences in height between dwellings are encouraged to create an interesting and varied roofline along the street.
- D) On single- and semi-detached dwellings with a flat roof, articulation may be appropriate at the upper-storey to mitigate the perceived height of the building and reinforce a human scale.
- E) Single- and semi-detached dwellings should be well articulated through vertical recesses and projections, window bays, and the alignment of doors, windows, porches and other architectural features.
- F) Single- and semi-detached dwellings should use high-quality materials that are appropriate within their local context, and may predominantly include brick, wood and or/stone.
- G) Facade materials should reflect their intended use, and should not be used to imitate other materials.
- H) Monolithic elements, such as vertical features and/or materials that extend the entire height of the dwelling should be avoided.
- I) On corner dwellings, a similar degree of facade articulation should be provided on both frontages and building elements, such as porches, should wrap the corner.



Well-spaced, human-scaled building with clearly articulated entrances, levels and upper storeys.

4.2.3(4) Support Walkability and Active Transportation

- A) Where single- and semi-detached dwellings are provided as part of a larger development, they should be broken up by pedestrian mews at regular (i.e. 60.0m) intervals.

4.2.3(5) Minimize Vehicle Presence in the Public Realm

- A) Parking should generally be accommodated at the rear of the property or through on-street permit parking, where permitted, to de-emphasize the role of vehicles within private properties.
- B) Where garages are provided, they should be located at the back of each dwelling and accessed from a rear lane to avoid curb-cuts on the public sidewalk.
- C) Front-yard garages/driveways should only be considered where this is a predominant characteristic of the street.
- D) Where front yard garages are provided, they should appear visually subservient to the main building, and should not occupy more than 50% of the building frontage.
- E) Where driveways are provided in the yard abutting a public street, they should be at least 6.0m in depth to ensure cars do not impede the public sidewalk or extend onto the public street.
- F) Where front-yard access is provided to rear-yard garages on adjacent properties, driveway access should be consolidated (i.e. shared parking easement) to minimize curb-cuts on the public sidewalk.



On-street parking and rear-yard garages help to ensure a pedestrian-focused streetscape and public realm.

4.2.3(6) Promote Vibrant Streets

- A) Single- and semi-detached dwellings should be oriented toward the street.
- B) Single- and semi-detached dwellings should be set back 3.0-6.0m from the lot line to accommodate private landscaping and unique and interesting front yard treatments.
- C) Slight variations in setbacks may be appropriate to create a varied and visually interesting streetscape.
- D) No substantial built elements (i.e. stairs, porches) should encroach into the first 1.5m of the front- or exterior side-yard lot line.
- E) Where front-yard parking is provided, at least 50% of the front yard should remain landscaped.
- F) Private front-yard landscaping should create a clear, but unobtrusive interface between the public and private realm. Low, highly-transparent fences may be appropriate.
- G) Private trees are encouraged in the front yard to enhance the urban tree canopy. All trees should have access to 30.0m³ of high-quality soil.
- H) Front doors, large windows and active uses (i.e. kitchens, living rooms) should be oriented toward the public street to provide animation and opportunities for public/private exchange.
- I) Front porches are encouraged to provide space for street animation, and to create a grade separation between the public and private realm. They should be designed as an integrated element of the building.
- J) Where front porches are provided, they should be limited to a single storey in height.
- K) The ground floor of a dwelling may be up to 1.2m above grade to accommodate steps/porches. In such cases, the materiality of the primary façade should extend all the way to the ground to minimize exposed concrete foundations.
- L) Where dwelling have a basement apartment, a secondary access may be provided up to 1.5m below grade. This access should be well integrated into the building and should not be visually obtrusive from the public realm.



Front-yard setbacks allow for unique and attractive private landscaping to create a varied public realm.

4.2.3(7) Provide Amenity Space for all Residents

- A) All single- and semi-detached dwellings should be set back a minimum of 7.0m from the rear lot line to accommodate private rear yards.

4.2.3(8) Ensure Safety and Accessibility for All

- A) Front doors, large windows and active uses (i.e. kitchens, living rooms) should be oriented toward the street to provide opportunities for casual surveillance.
- B) Where single- and semi-detached dwellings abut pedestrian mews, active uses (i.e. kitchens, living rooms) should be oriented toward the connections to enhance safety through casual surveillance.
- C) Pedestrian-scale lighting should be provided at regular intervals along pedestrian mews.



Top: Communal amenity space to augment rear yards.
Middle/Bottom: Public uses facing the streetscape.

4.2.4 Evaluation Matrix

The following Evaluation Matrix compiles key metrics for Single- and Semi-Detached Dwellings. It is meant to be used for quick reference purposes, and does not replace the guidelines in the previous section. Developers should use the Evaluation Matrix to identify where a proposal

does/does not comply with the guidelines. Where a proposal does not comply, the Evaluation Matrix should be used to provide a rationale. A digital file is available from the Town if additional space is required.

| Key Metrics | | Complies | | | |
|---|---|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Front-Yard Setbacks | | | | | |
| Within Existing Neighbourhoods | No greater than 1.0m from the average of the adjacent properties within 60m on each side. | | | | |
| Within New Neighbourhoods | 3.0-6.0m | | | | |
| No Encroachment Zone (From Front- or Exterior Side-Yard Lot Line) | 1.5m | | | | |
| Side-Yard Setbacks | | | | | |
| Where Existing | Average Setback | | | | |
| Where No Existing | 1.5m 3.0m Separation | | | | |
| Rear-Yard Setbacks | | | | | |
| Private Rear Yards | 7.0m | | | | |
| Building Width/Depth | | | | | |
| Garage Width | <50% of Overall Building Width | | | | |
| Building Height | | | | | |
| Residential Areas | 8.5m | | | | |
| Max. Building Height Special Provision Areas | 8.0m | | | | |
| Front Steps Height (Above Grade) | 1.2m | | | | |
| Front Steps Height (Below Grade) | 1.5m | | | | |

Rationale

(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.2.2 achieved?)

4.3 Townhouses

4.3.1 Description

Townhouses are a type of low-rise building comprised of at least three dwelling units. As multiple units are typically attached to each other, townhouses provide a greater density than single- or semi-detached dwellings in a form that is generally compatible within an established neighbourhood. Townhouses provide similar amenities to a single- or semi-detached dwelling at a more affordable price, promoting neighbourhood diversity. As a form of ‘gentle density,’ townhouses are generally appropriate as transitional buildings between new low- and mid-rise buildings and existing residential neighbourhoods, particularly when they are well-designed and compatible in height, scale and massing.

Townhouses can take a number of forms, and may include:

- **Traditional:** Typically 2 to 3-storeys in height, traditional townhouses share side walls with their neighbouring units. Each unit has an independent entrance to a front and rear-yard. Parking is accommodated through individual garages at the back or front of the building.
- **Stacked:** Typically 3 to 4-storeys in height, stacked townhouses share side walls with their neighbouring units, but also have units stacked vertically. Each unit has an independent entrance with access to upper units provided from an interior stairway. Upper units often have access to rooftop

amenity space while lower units utilize rear-yards. Parking is accommodated through individual rear-yard garages or within a larger underground structure.

- **Back-to-Back:** Typically 2 to 3-storeys in height, back-to-back townhouses share side walls with their neighbouring units, as well as a rear wall with another unit (facing the opposite direction). Each unit has an independent entrance to a front-yard. Parking is accommodated through private garages or a larger underground structure.
- **Stacked Back-to-Back:** Typically 3 to 4-storeys in height, stacked back-to-back townhouses share side and rear walls with neighbouring units, but also have units stacked vertically. Each unit has an independent entrance with access to upper units provided from an interior stairway. Upper units often have access to rooftop amenity space, while larger, shared amenity space is provided for all units. Parking is accommodated through private garages or a larger underground structure.

Within the Urban Centres and Corridors, townhouses should be used to provide a transition to more sensitive uses, including established residential neighbourhoods, natural heritage features, etc. Lower-density forms of townhouses, such as traditional or stacked, may be appropriate at the edges of Residential Areas to accommodate greater density subject to efforts to ensure compatibility in height, scale and massing.



Townhouses provide additional density in a form that is compatible with established residential uses and can take a variety of forms, from traditional townhouses to much denser stacked and stacked back-to-back townhouses.

4.3.2 Design Vision

Townhouses should reinforce a height, massing, scale and density that is compatible with the neighbourhood in which they are located or interfacing with. They should provide a positive relationship with adjacent streets through the inclusion of attractive, well-landscaped front yards that reflect their context and provide a clear transition between the public and private realm. Individual units should be well articulated within townhouse blocks to promote a tight-knit, human-scaled streetscape. Amenity space should be provided through a mix of shared and private facilities and should be connected to adjacent uses where appropriate. Parking should be accommodated with minimal impact on the established character of the neighbourhood.



4.3.3 Design Guidelines

To achieve the Design Vision, the Design Objectives in Section 3.0 were used to organize a series of design guidelines to ensure that new townhouses:

4.3.3(1) Fit Harmoniously into the Established Context

- A)** Townhouse blocks should be oriented parallel to the street to reinforce the established streetwall. Within back-to-back or stacked back-to-back townhouse blocks, both units should align with their respective streets.
- B)** Townhouses should be set back from the front lot line to generally reinforce the existing streetwall. On corner lots, townhouses should be located to reinforce both streetwalls.
- C)** Where front-yard parking is proposed, and is a predominant characteristic of the neighbourhood, a 6.0m setback is recommended to accommodate a driveway.
- D)** Notwithstanding the above, slight variations in setbacks may be appropriate to create a more interesting streetscape.
- E)** Side-yard setbacks of 1.5-3.0m should be provided to maintain ample spacing between buildings.
- F)** Townhouses within, or interfacing with, established residential neighbourhoods, should be designed to generally reflect and be compatible in height, scale and massing with their context. This may include more traditional designs in Residential Areas and more contemporary designs within the Urban Centres and Corridors.
- G)** Where townhouses are located in, or interface with, Residential Areas, their design and articulation should reference and be compatible with (but not replicate) the prevailing character, including height, roof and cornice lines, ground floor heights, pilasters, window location and proportions, porches, brick and material colours, etc.
- H)** Notwithstanding the above, a range of distinct but complementary façade designs, rooflines, materials and architectural details are encouraged, particularly between adjacent townhouse developments, to create variation within a streetscape.



Townhouse utilizing scale, massing and materials to provide consistency with adjacent uses.

4.3.3(2) Mitigate Impacts on Adjacent Properties

- A) Where townhouses abut single- or semi-detached dwellings, side-yard stepbacks are encouraged on the upper storey(s) to increase separation and ensure compatibility with the adjacent dwelling.
- B) Where stacked and stacked back-to-back townhouses abut single- or semi-detached dwellings, the entire end unit (at a minimum) should step down in height to minimize overlook/shadow on the adjacent property.
- C) Where stacked and stacked back-to-back townhouses back onto single or semi-detached dwellings, a 45-degree angular plane from the rear lot line should be applied to mitigate shadow/privacy impacts of the upper storeys of the building.
- D) A 3.0-6.0m separation distance should be provided between townhouse blocks.
- E) Where windows are provided on end units, a minimum 6.0m separation distance is recommended between townhouse blocks to maximize privacy.
- F) Where back-to-back and stacked back-to-back townhouse buildings face each other within a block, a 15.0m separation distance should be provided to minimize shadow/privacy impacts.



Townhouses using side-yard stepbacks and materials to provide a seamless transition to adjacent uses.

4.3.3(3) Create Attractive, Human-Scaled Buildings

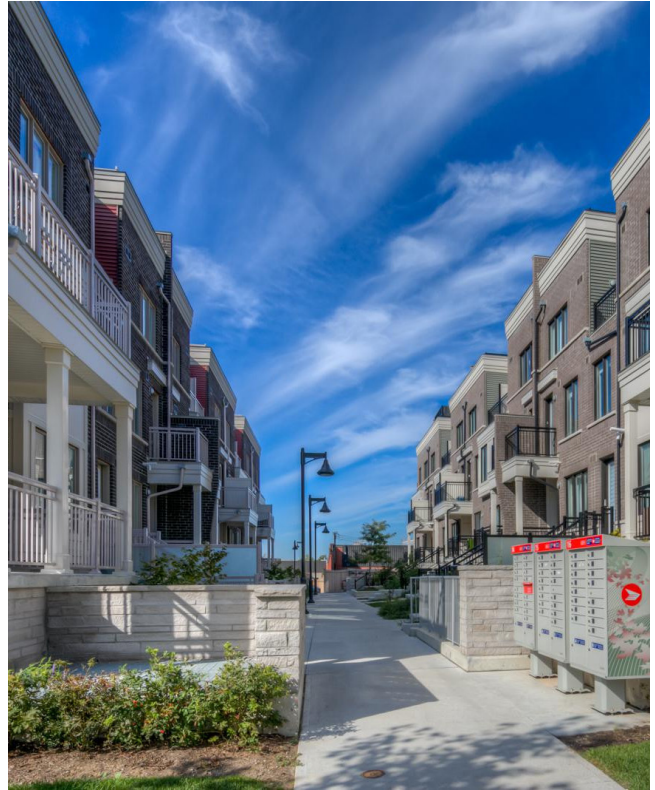
- A) Townhouse buildings should be no more than 60.0m in width, and limited to 8 units, to reinforce small, tight-knit blocks.
- B) Townhouses should have a maximum height of 11.0m. Stacked and back-to-back townhouses should have a maximum height of 15.0m.
- C) Individual floors should be easily discernible from the exterior of the building to break the height of the building into easily perceivable sections.
- D) Slight differences in height between units are encouraged to create an interesting and varied roofline.
- E) Stepbacks are encouraged at the 3rd or 4th storey to mitigate the perceived height of the building and reinforce a human scale.
- F) Back-to-back townhouses should have a maximum unit depth of 10.0m to permit full sunlight throughout the unit.
- G) Individual units should be a minimum of 6.0m wide where garages are integrated in the front of the building, or 4.5m wide where access from a rear lane is provided.
- H) Individual units should be well articulated through vertical recesses and projections, window bays, and the alignment of doors, windows, porches and other architectural features.
- I) Townhouses should use high-quality materials that are appropriate within their local context, and may predominantly include brick, wood and or/stone.
- J) Facade materials should reflect their intended use, and should not be used to imitate other materials.
- K) Monolithic elements, such as vertical features and/or materials that extend the entire height of the building should be avoided.
- L) On corner units, a similar degree of facade articulation should be provided on both frontages and building elements, such as porches, should wrap the corner.



Recesses and projections create vertical articulation, while materials are used to define horizontal scale.

4.3.3(4) Support Walkability and Active Transportation

- A) Townhouse blocks should be no more than 60.0m in width to provide ample opportunity for pedestrian mews.
- B) On larger blocks, where multiple townhouse buildings abut each other, pedestrian mews should be provided between buildings.
- C) Where back-to-back and stacked back-to-back townhouse buildings face each other, a mid-block connection should be provided between the buildings.
- D) Townhouses should provide ample bicycle parking/storage opportunities. Where parking is provided underground, safe and convenient access should be provided.



Pedestrian mews provide permeable blocks that promote and support active transportation.

4.3.3(5) Minimize Vehicle Presence in the Public Realm

- A) Front-yard driveways/garages should only be considered where this is a predominant characteristic of the street. In such cases, they should be at least 6.0m in depth to ensure cars do not impede the public sidewalk.
- B) Vehicle access to townhouse parking should be provided from a rear lane and/or secondary street.
- C) Where garages are provided within townhouses, they should be located at the back of each unit and accessed from a rear lane to avoid curb-cuts on the public sidewalk.
- D) For stacked and back-to-back townhouses, parking should be provided underground either as a stand-alone structure or as part of a larger development.
- E) Where underground parking is not feasible, surface parking should be located at the rear of the site and buffered from public view.
- F) Surface parking lots should be well landscaped, including landscaped islands at the end of all parking aisles to break up expansive paved areas, and edge landscaping to screen the parking area from public view.



Providing parking at the rear, and integrated into the building, minimizes the impacts on the public realm.

4.3.3(6) Promote Vibrant Streets

- A) Townhouses should be oriented toward the street.
- B) Where townhouse blocks are located perpendicular to streets (i.e. due to lot constraints), end units should be oriented toward the street.
- C) Townhouses should be set back a minimum of 4.5m from the lot line to accommodate private landscaping and unique and interesting front yard treatments.
- D) Slight variations in setbacks may be appropriate to create a varied and visually interesting streetscape.
- E) No substantial built elements (i.e. stairs, porches) should encroach into the first 1.5m from the lot line of the front- or exterior side-yard.
- F) Where front-yard parking is provided, at least 50% of the front yard should remain landscaped.
- G) Private front-yard landscaping should create a clear, but unobtrusive interface between the public and private realm. Low, highly-transparent fences may be appropriate.
- H) Private trees are encouraged in the front yard to enhance the urban tree canopy. All trees should have access to 30.0m³ of high-quality soil.
- I) Front doors, large windows and active uses (i.e. kitchens, living rooms) should be oriented toward the street to provide animation and opportunities for public/private exchange.
- J) Front porches are encouraged to provide space for street animation, and to create a grade separation between the public and private realm. They should be designed as an integrated element of the building.
- K) Where front porches are provided, the ground floor may be up to 1.2m above grade and the materiality of the primary façade should extend all the way to the ground to minimize exposed concrete foundations.
- L) On stacked townhouses, access to lower units may be provided up to 1.5m below grade. This access should be well integrated into the building and should not be visually obtrusive from the public realm.
- M) Uses that detract from the pedestrian experience, such as garbage and storage areas, should be located at the rear of townhouses and integrated into the building where possible.
- N) Where these uses cannot be integrated into the building, they should be screened from public view through an enclosure that is tall enough to fully cover the use.
- O) Garbage and storage areas should be designed using materials that are consistent with the overall design of the building and should utilize a base material that will not absorb leaks. Chain link fence is strongly discouraged.



Front entrances, private gardens, and active internal uses help to create vibrant, active streets.

4.3.3(7) Provide Amenity Space for all Residents

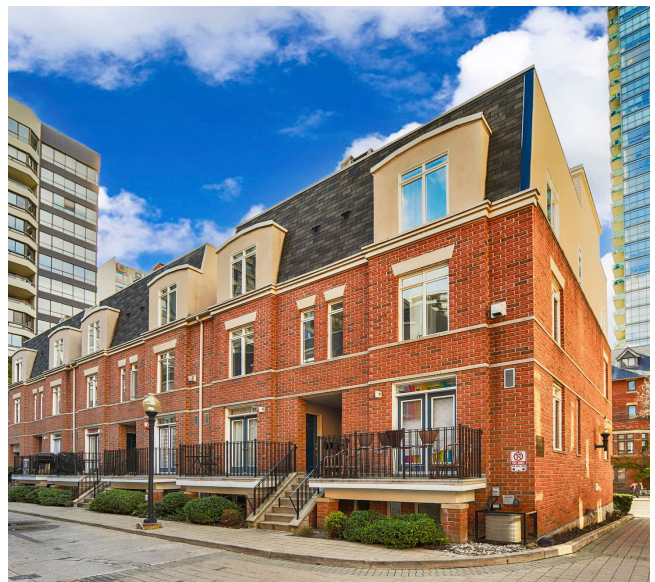
- A)** All townhouses should have access to private outdoor amenity space, including rear yards and/or upper storey or rooftop patios.
- B)** Where rear yards are provided, they should be 6.0-7.5m to accommodate active outdoor amenity space. For stacked townhouses, a 9.0m setback is required.
- C)** Where upper-storey stepbacks are provided, they should be 1.5-3.0m to accommodate usable outdoor amenity space (i.e. patios).
- D)** In back-to-back and stacked back-to-back townhouses, where rear yards are not feasible, amenity space should be provided through a combination of centrally-located shared outdoor amenity areas and upper-storey and/or rooftop patios.
- E)** Where back-to-back townhouse blocks face each other, shared outdoor amenity space should be provided within the recommended 15.0m separation distance.
- F)** Where shared outdoor amenity spaces are provided, they may include internal courtyards, shared rooftop terraces, hardscaped plazas, etc.
- G)** Shared outdoor amenity areas should be located in concert with internal amenity areas.
- H)** Shared outdoor amenity areas should be conveniently located, scaled and configured to maximize functionality, and oriented to maximize sunlight access.
- I)** Shared outdoor amenity space should be well-connected to surrounding streets through either direct frontage and/or pedestrian mews.
- J)** Where possible, shared outdoor amenity spaces should be part of a broader network of integrated open spaces.
- K)** Shared outdoor amenity areas should include a variety of amenities, including seating, shade structures, exercise equipment and/or children's play areas.



Amenity should be provided through a mix of public at-grade space (top) and private rooftop space (bottom).

4.3.3(8) Ensure Safety and Accessibility for All

- A)** All public areas should adhere to the principles of CPTED, including (but not limited to) natural surveillance, clear sightlines, adequate lighting, and the avoidance of entrapment areas.
- B)** All public areas should be universally accessible and should adhere to the principles and policies of the Accessibility for Ontarians with Disabilities Act.
- C)** Front doors, large windows and active uses (i.e. kitchens, living rooms) should be oriented toward the street to provide opportunities for casual surveillance.
- D)** Where pedestrian mews are provided, they should be framed by active uses (i.e. kitchens, living rooms) to enhance safety through casual surveillance.
- E)** Pedestrian-scale lighting should be provided at regular intervals within shared outdoor amenity areas and along pedestrian mews.
- F)** Attention and directional tactile wayfinding (TWSI) should be installed in all shared outdoor amenity areas.



Orienting active internal uses (i.e. kitchens, living rooms) helps to provide 'eyes on the street.'

4.3.4 Evaluation Matrix

The following Evaluation Matrix compiles key metrics for Townhouses. It is meant to be used for quick reference purposes, and does not replace the guidelines in the previous section. Developers should use the Evaluation Matrix to

identify where a proposal does/does not comply with the guidelines. Where a proposal does not comply, the Evaluation Matrix should be used to provide a rationale. A digital file is available from the Town if additional space is required.

| Key Metrics | | Complies | | | |
|--|---|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Front-Yard Setbacks | | | | | |
| With Driveway | 6.0m | | | | |
| No Driveway | 4.5m (Min.) | | | | |
| No Encroachment Zone (From Front and Exterior Side-Yard Lot Line) | 1.5m | | | | |
| Side-Yard Setbacks | | | | | |
| To Townhouses | 1.5-3.0m Setback 3.0-6.0m Separation | | | | |
| To Townhouse (With Windows) | 3.0m Setback 6.0m Separation | | | | |
| To Single or Semi | 3.0m Setback 6.0m Separation | | | | |
| Rear-Yard Setbacks | | | | | |
| Townhouses | 6.0-7.5m | | | | |
| Stacked Townhouses | 9.0m | | | | |
| Between Facing Townhouses | 15.0m | | | | |
| Stepbacks/Angular Planes | | | | | |
| Rear-Yard Angular Plane (From Rear-Yard Lot Line) | 45 Degrees | | | | |
| Front-Yard Stepbacks | At 3rd/4th Storey | | | | |
| Stepback Depth | 1.5-3.0m | | | | |
| Building Width/Depth | | | | | |
| Building Width | 60.0m or 8 Units | | | | |
| Unit Width (with Garage) | 6.0m | | | | |
| Unit Width (No Garage) | 4.5m | | | | |
| Unit Depth (Back-to-Back Only) | 10.0m | | | | |
| Building Height | | | | | |
| Traditional | 11.0m | | | | |
| Stacked/Back-to-Back | 15.0m | | | | |
| Front Steps Height (Above Grade) | 1.2m | | | | |
| Front Steps Height (Below Grade) | 1.5m | | | | |

Rationale

(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.3.2 achieved?)

4.4 Low-Rise Buildings

4.4.1 Description

Low-rise buildings include buildings with multiple units up to 4-storeys in height. While some units may have direct access from grade level, upper units are generally accessed via internal stairs, elevators and shared corridors. Units within a low-rise building are generally single-level, allowing a large number of units within each building and providing increased density in a form that can be compatible with a range of building typologies, from single- and semi-detached dwellings to high-rise buildings.

Low-rise buildings may be single use (i.e. residential, office), or may provide a mix of uses with retail generally provided at the ground level when located along an established commercial street.

Units range in size, amenity, and affordability which attracts and supports a diverse population. Within a residential building, this may range from students living in bachelor apartments to families in three or more bedroom units. Where commercial and office uses are provided, units may support small start-ups with minimal space needs, or large retail chains that require substantial ground floor space.

Typically, amenity space within a low-rise building will include a mix of internal programming (i.e. fitness, amenity rooms, pools, etc.) and external shared open spaces (i.e. parkettes, plazas, playgrounds, etc.).

Low-rise buildings may be appropriate at the edge of Residential Areas where frontage can be provided on Arterial and Collector Roads and where greater density is desired to maximize existing infrastructure (i.e. transit, servicing, etc.). Within new developments in the Urban Centres and Corridors, low-rise buildings may be the predominant form of development or may be used to provide a transition between mid- and high-rise buildings and lower density buildings like townhouses, single- and semi-detached dwellings.



Low-rise buildings can take a variety of forms and functions, and may include residential buildings, office buildings, and/or a mix of both. Often, retail uses are provided at grade.

4.4.2 Design Vision

Low-rise buildings should provide transit-supportive density in a form that is compatible with, and transitions carefully to, adjacent lower-scaled neighbourhoods and buildings. They should frame and address adjacent streets while reinforcing a human-scaled public realm. Low-rise buildings should provide a strong interface between the public and private realm that reflects their at-grade use and generally reinforces a well-defined and tight-knit streetscape. Low-rise buildings should provide active uses at grade, including individual residential entrances, retail, lobbies, and amenity areas. Where appropriate, these uses should animate the public realm and support a vibrant and engaging streetscape. A mix of private and public amenity space should provide variation in the streetscape, opportunities for people to gather and socialize, and connections to a broader network of open spaces wherever possible.



4.4.3 Design Guidelines

To achieve the Design Vision, the Design Objectives in Section 3.0 were used to organize a series of design guidelines to ensure that new low-rise buildings:

4.4.3(1) Fit Harmoniously into the Established Context

- A)** Low-rise buildings should be oriented parallel to the street to reinforce the established streetwall. Where through lot buildings are proposed, both frontages should align with their respective streets.
- B)** Low-rise buildings should be located close to the front lot line to generally reinforce a continuous streetwall. On corner lots, low-rise buildings should be located to reinforce both streetwalls.
- C)** Notwithstanding the above, slight variations in setbacks may be appropriate to create a more interesting streetscape.
- D)** Side-yard setbacks of 5.5m should be provided to maintain ample spacing (11.0m) between buildings. Where a continuous streetscape has been established by existing buildings, no side-yard setback may be appropriate on a case-by-case basis.
- E)** The design, massing and articulation of low-rise buildings should be compatible with and reference (but not replicate) the prevailing character, including height, roof and cornice lines, ground floor heights and treatment, pilasters, window location and proportions, brick and material colours, etc.

- F)** Notwithstanding the above, a range of distinct but complementary façade designs, rooflines, materials and architectural details are encouraged, particularly between adjacent low-rise developments, to create variation within a streetscape.



Mid-rise buildings should be massed to respond to their adjacent and established context.

4.4.3(2) Mitigate Impacts on Adjacent Properties

- A)** Where low-rise buildings abut single-detached, semi-detached and townhouse dwellings, side-yard stepbacks are encouraged on the upper storey(s) to provide a compatible transition in height to the adjacent dwelling, and to mitigate shadow impacts.
- B)** Where low-rise buildings create a continuous streetwall, side-yard stepbacks are recommended on the upper storey(s) to maximize sky views and sunlight access to adjacent buildings.
- C)** Where side windows are provided on upper storeys, the stepbacks in B) should be 5.5m from the side lot line to ensure appropriate separation distance (11.0m) between upper storeys of the buildings.
- D)** Where low-rise buildings back onto lower building typologies, they should be set back 9.0m from the rear lot line to provide space from adjacent properties and/or to accommodate a rear lane.
- E)** Where low-rise buildings abut lower building typologies, a 45-degree angular plane from the rear- and/or exterior side-yard lot line (at a height of 1.7m) should be applied to mitigate shadow/privacy impacts of the upper storeys of the building.
- F)** Where low-rise buildings back onto a public street opposite lower building typologies, a 22-degree angular plane should be provided at a height of 8.9-12.1m (refer to Table 6.2.4.6 in By-law 2019-06) from the opposite lot line.
- G)** Where low-rise buildings abut lower building typologies, incompatible uses (i.e. parking, loading, storage, etc.) and impacts (i.e. noise, vibration, odor privacy) should be buffered through a mix of high-quality landscaping, fences, walls, trellises, or other structures. Structures used for buffering should be designed to the same standard as the primary building.
- H)** Where side windows are desirable on lower levels, an 11.0m separation distance should be provided between low-rise buildings to mitigate privacy issues. Where side yard windows are only on one side, a 5.5m separation distance may be appropriate.
- I)** Where low-rise buildings face each other within a block, a 15.0m separation distance should be provided to minimize shadow/privacy impacts.
- J)** Where large mechanical equipment is provided, including a mechanical penthouse, it should be carefully located to minimize shadow impacts.



Stepbacks at the upper levels of a building help to mitigate shadows on adjacent streetscapes and parks.

4.4.3(3) Create Attractive, Human-Scaled Buildings

- A) Low-rise buildings should be no more than 60.0m in width to reinforce small, tight-knit blocks.
- B) Low-rise buildings should have a maximum height of 4 storeys (15.0m).
- C) Floor-to-floor heights should be 3.0m and should be easily discernible from the exterior of the building to break the height of the building into easily perceivable sections.
- D) The ground floor of low-rise buildings should be 4.5m in height to reinforce a strong visual presence.
- E) Slight differences in height between adjacent low-rise buildings are encouraged to create an interesting and varied roofline.
- F) Stepbacks are encouraged at the 3rd and/or 4th storey to mitigate the perceived height of the building and reinforce a human scale.
- G) Where appropriate, alternative treatments may be considered for the upper storeys to distinguish the top of the building and create a more interesting roofline.
- H) Low-rise buildings should be carefully designed and articulated to break their mass into smaller components through vertical recesses and projections, and the alignment of doors, windows, and other architectural features. As a general rule, 20% of the building frontage should be articulated.
- I) Articulation should generally reflect the internal use, but should limited continuous building sections to less than 25.0m.
- J) Low-rise buildings should use high-quality materials that are appropriate within their

local context, and may predominantly include brick, wood and or/stone.

- K) Facade materials should reflect their intended use, and should not be used to imitate other materials.
- L) On corner buildings, a similar degree of facade articulation should be provided on both frontages and an enhanced treatment should be considered to accentuate the corner.



Recesses, projections, materials and balconies break these buildings into smaller components visually.

4.4.3(4) Support Walkability and Active Transportation

- A)** Low-rise buildings should be no more than 60.0m in width to provide ample opportunity for pedestrian mews.
- B)** On larger blocks, where multiple low-rise buildings abut each other, pedestrian mews should be provided between buildings.
- C)** Where low-rise buildings face each other within a block, a mid-block connection should be provided between the buildings.
- D)** Where possible, primary building entrances (i.e. lobbies) should be located in close proximity to transit stops.
- E)** Where low-rise buildings have commercial uses at grade, or public uses within residential buildings (i.e. lobbies, amenity space), continuous weather protection should be provided to encourage active modes of transportation.
- F)** Low-rise buildings should provide ample bicycle parking/storage opportunities. Where parking is provided underground, safe and convenient access should be provided.
- G)** Short-term and visitor bicycle parking should be provided in close proximity to main entrances, lobbies, pedestrian mews and shared amenity spaces.



Top: Short, well-spaced buildings create walkable blocks.
Bottom: Ample and convenient bicycle parking provided.

4.4.3(5) Minimize Vehicle Presence in the Public Realm

- A) Front-yard parking for low-rise buildings is highly discouraged.
- B) Parking, servicing and loading for low-rise buildings should be located at the rear of the building. Where this cannot be achieved, side yard solutions may be considered on a case-by-case basis provided vehicle impacts on the public realm are minimal.
- C) Vehicle access for parking, servicing and loading should be provided from a rear lane and/or secondary street to avoid vehicle conflicts with the public sidewalk.
- D) Surface parking lots should be well landscaped, including landscaped islands at the end of all parking aisles to break up expansive paved areas, and edge landscaping to screen the parking area from public view.



Providing parking at the rear or side yard minimizes the impacts on the public realm.

4.4.3(6) Promote Vibrant Streets

- A) Where no streetwall exists, low-rise buildings should be oriented to maximize frontages on Arterial and Collector Roads.
- B) Where no streetwall exists, low-rise buildings with residential at grade should be set back 3.0-5.0m to accommodate front yard landscaping. Where retail is provided at grade, a 4.5-6.0m setback is recommended to accommodate wide, active boulevards.
- C) Within the Urban Centres, additional setbacks may be required to accommodate the future burying of hydro and other utilities.
- D) Slight variations in setbacks may be appropriate to create a varied and visually interesting streetscape, and to provide opportunities for commercial plazas and/or enhanced boulevard treatments.
- E) On corner buildings, and/or where buildings address POPS or other open spaces, opportunities to create unique building forms or integrate public art into the building design should be explored.
- F) The ground floor of low-rise buildings should reinforce vibrant streets. For residential buildings, this includes active uses, such as lobbies and amenity areas, as well as individual at-grade unit entrances and private front yards. For mixed-use buildings, grade-related commercial uses should be provided.
- G) Within those areas identified as Priority Commercial Areas in the Urban Centres, 75% of the ground floor frontage should be comprised of commercial uses.
- H) Where grade-related commercial uses are proposed, a substantial amount of the ground floor (i.e. greater than 60%) should be clear-glazed to provide opportunities for public/private exchange.
- I) Where appropriate, commercial uses should 'spill' onto the public sidewalk through patios, outdoor seating, and sale and display areas.
- J) Where private front-yards are provided, no substantial built elements (i.e. stairs, porches) should encroach into the first 1.5m from the lot line of the front- or exterior side-yard.
- K) Private front-yard landscaping should create a clear, but unobtrusive interface between the public and private realm. Low, highly-transparent fences may be appropriate.
- L) Private front yard trees are encouraged to enhance the urban tree canopy. All trees should have access to 30.0m³ of high-quality soil.
- M) Where residential uses are proposed at grade, front doors, large windows and active uses (i.e. kitchens, living rooms) should be oriented toward the street to provide animation and opportunities for public/private exchange.
- N) Front porches are encouraged to provide space for street animation, and to create a grade separation between the public and private realm. They should be designed as an integrated element of the building.
- O) Where front porches are provided, the ground floor may be up to 1.5m above grade and the materiality of the primary façade should extend all the way to the ground to minimize exposed concrete foundations.
- P) Uses that detract from the pedestrian experience, such as garbage and storage areas, should be located at the rear of low-rise buildings and integrated into the building where possible.

- Q)** Where these uses cannot be integrated into the building, they should be screened from public view through an enclosure that is tall enough to fully cover the use.
- R)** Garbage and storage areas should be designed using materials that are consistent with the overall design of the building and should utilize a base material that will not absorb leaks. Chain link fence is strongly discouraged.
- S)** Garbage and storage facilities should be co-ordinated with parking areas to minimize their collective footprint.



Commercial uses help to define a vibrant public realm, particularly where they 'spill out' onto the street.

4.4.3(7) Provide Amenity Space for all Residents

- A)** All low-rise buildings should have access to indoor and outdoor amenity space, including a combination of centrally-located shared outdoor amenity areas and upper-storey and/or rooftop patios.
- B)** Within the Urban Centres and Corridors, POPS are recommended wherever possible to create a continuous network of public open spaces.
- C)** Where upper-storey stepbacks are provided, they should be 1.5-3.0m to accommodate usable outdoor amenity space (i.e. patios).
- D)** Where low-rise buildings face each other within a block, shared outdoor amenity space should be provided within the recommended 15.0m separation distance.
- E)** Where shared outdoor amenity spaces are provided, they may include internal courtyards, shared rooftop terraces, landscaped plazas, etc.
- F)** Shared outdoor amenity areas should be located in concert with internal amenity areas.
- G)** Shared outdoor amenity areas should be conveniently located, scaled and configured to maximize functionality, and oriented to maximize sunlight access.
- H)** Shared outdoor amenity space should be well-connected to surrounding streets through either direct frontage and/or pedestrian mews.
- I)** Where possible, shared outdoor amenity spaces should be part of a broader network of integrated open spaces.
- J)** Shared outdoor amenity areas should include a variety of amenities, including seating, shade structures, exercise equipment and/or children's play areas.



Amenity should be provided through a mix of public at-grade space (top) and private rooftop space (bottom).

4.4.3(8) Ensure Safety and Accessibility for All

- A)** All public areas should adhere to the principles of CPTED, including (but not limited to) natural surveillance, clear sightlines, adequate lighting, and the avoidance of entrapment areas.
- B)** All public areas should be universally accessible and should adhere to the principles and policies of the Accessibility for Ontarians with Disabilities Act.
- C)** Active uses (i.e. retail, lobbies, amenity areas, kitchens, living rooms) should be oriented toward the street to provide opportunities for casual surveillance.
- D)** Where pedestrian mews are provided, they should be framed by active uses (i.e. retail, lobbies, amenity areas, kitchens, living rooms) to enhance safety through casual surveillance.
- E)** Pedestrian-scale lighting should be provided at regular intervals along building frontages, within shared outdoor amenity areas and along pedestrian mews.
- F)** Attention and directional tactile wayfinding (TWSI) should be installed in all shared outdoor amenity areas.



Large, grade-level windows helps to provide 'eyes on the street' while creating internal/external exchange.

4.4.4 Evaluation Matrix

The following Evaluation Matrix compiles key metrics for Low-Rise Buildings. It is meant to be used for quick reference purposes, and does not replace the guidelines in the previous section. Developers should use the Evaluation Matrix to

identify where a proposal does/does not comply with the guidelines. Where a proposal does not comply, the Evaluation Matrix should be used to provide a rationale. A digital file is available from the Town if additional space is required.

| Key Metrics | | Complies | | | |
|--|---|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Front-Yard Setbacks | | | | | |
| At-Grade Residential | 3.0-5.0m | | | | |
| At-Grade Retail | 4.5-6.0m | | | | |
| No Encroachment Zone (From Front and Exterior Side-Yard Lot Line of Residential Use) | 1.5m | | | | |
| Side-Yard Setbacks | | | | | |
| Where a Continuous Streetscape is Appropriate (Case-by-Case Basis) | 0.0m | | | | |
| Adjacent Building (With Windows) | 5.5m Setback 11.0m Separation | | | | |
| Adjacent Building (No Windows) | 2.75m Setback 5.5m Separation | | | | |
| Rear-Yard Setbacks | | | | | |
| Private Rear Yards | 9.0m | | | | |
| Between Facing Buildings | 15.0m | | | | |
| Stepbacks/Angular Planes | | | | | |
| Rear and Side-Yard Angular Plane (From Rear- and Side Yard Lot Line Abutting Lower Building Typologies) | 45 Degrees (At 1.7m Height) | | | | |
| Rear-Yard Angular Plane (From Rear-Yard Lot Line Abutting Public Street and Lower Typology) | 22 Degrees (At 8.9-12.1m Height, subject to Table 6.2.4.6 in By-law 2019-06) | | | | |
| Front-Yard Stepbacks | 3rd/4th Storey | | | | |
| Side-Yard Stepbacks | 3rd/4th Storey | | | | |
| Stepback Depth | 1.5-3.0m | | | | |
| Stepback Depth (Facing Windows) | 5.5m (from Side Lot Line) | | | | |

Rationale
(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.4.2 achieved?)

Evaluation Matrix (Cont.)

| Key Metrics | | Complies | | | |
|---|-------------------|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Building Width/Articulation | | | | | |
| Building Width | 60.0m | | | | |
| Building Articulation (Cumulative) | 20% | | | | |
| Building Articulation (Section Width) | 25.0m | | | | |
| Building Height | | | | | |
| General | 4-Storeys (15.0m) | | | | |
| Floor-to-Floor Height (General) | 3.0m | | | | |
| Floor-to-Floor Height (Ground) | 4.5m | | | | |
| Front Steps Height (Above Grade) | 1.5m | | | | |
| Front Steps Height (Below Grade) | 1.5m | | | | |
| Ground Floor Treatment | | | | | |
| Commercial Use (Within Priority Commercial Areas) | 75% | | | | |

Rationale

(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.4.2 achieved?)

4.5 Mid-Rise Buildings

4.5.1 Description

Between 5 to 11-storeys in height, mid-rise buildings accommodate transit-supportive densities in a form that can be carefully designed and massed to reinforce a human scale and promote strong connections to adjacent streets, neighbourhoods and open spaces. Through the provision of consistent density along key Arterial and Collector Roads, mid-rise buildings absorb much of the density that would otherwise be achieved through high-rise buildings.

Mid-rise buildings function much like low-rise buildings, but consist of a 3 to 5-storey podium, with a number of storeys above. The podium of a mid-rise building acts as an anchor, and is meant to frame the street, and reinforce a human-scale when the building is perceived from the street level. Above the podium, mid-rise buildings are generally set back and carefully sculpted and designed to mitigate the impacts of height on the public realm.

As a predominantly grade-related typology, mid-rise buildings are generally designed to animate adjacent streets through a mix of at-grade retail uses, individual residential entrances, public plazas or amenity spaces, and/or active internal uses (i.e. amenity space, lobbies, etc.). Likewise,

parking is located underground, or at the rear of the building, where it will have no impact on the public realm.

As mid-rise buildings are generally located in more active areas, and accommodate a substantial amount of density, they are generally able to provide more unique and/or communal amenities, including community facilities, POPS and/or pedestrian mews to adjacent destinations. Similarly, mid-rise buildings support alternative modes of transportation through enhanced cycling facilities (i.e. locks, storage, on-site showers, etc.), car-share services, etc.

Mid-rise buildings are encouraged throughout the Urban Centres and Corridors where greater density is desired to maximize existing infrastructure (i.e. transit, servicing, etc.) and where new and vibrant commercial uses are desirable within walking distance of established neighbourhoods.



Mid-rise buildings provide significant density in a relatively compact form. They can take a variety of forms and functions, but are generally defined by a human-scaled podium with upper-storeys stepped back above.

4.5.2 Design Vision

Mid-rise buildings should provide transit-supportive density at a height and scale that reflects the adjacent right-of-way width (up to 11-storeys) and frames and addresses Arterial and Collector Roads. Mid-rise buildings are generally designed and massed to provide a legible podium, with storeys above carefully sculpted to mitigate impacts on adjacent lower-scaled neighbourhoods and buildings. Both the podium and upper-levels of a mid-rise building are carefully articulated to minimize the perceived mass of the building from the public realm, and to reinforce a tight-knit streetscape character. At grade level, mid-rise buildings should reflect their internal use and should reinforce vibrant streetscapes through retail, individual at-grade residential entrances, and other active uses (i.e. lobbies, amenity areas).



4.5.3 Design Guidelines

To achieve the Design Vision, the Design Objectives in Section 3.0 were used to organize a series of design guidelines to ensure that new mid-rise buildings:

4.5.3(1) Fit Harmoniously into the Established Context

- A)** Mid-rise buildings should be oriented parallel to the street to reinforce the established streetwall. Where through-lot buildings are proposed, both frontages should align with their respective streets.
- B)** Mid-rise buildings should be located close to the front lot line to generally reinforce a continuous streetwall. On corner lots, mid-rise buildings should be located to reinforce both streetwalls.
- C)** Notwithstanding the above, slight variations in setbacks may be appropriate to create a more interesting streetscape.
- D)** Side-yard setbacks of 5.5m should be provided to maintain ample spacing (11.0m) between buildings. Where a continuous streetscape has been established by existing buildings, no side-yard setback may be appropriate on a case-by-case basis.
- E)** The design, massing and articulation of mid-rise buildings should reference and be compatible with (but not replicate) the prevailing character, including height, roof and cornice lines, ground floor heights and treatment, pilasters, window location and proportions, brick and material colours, etc.
- F)** Where mid-rise buildings are located directly adjacent to an existing low-rise residential property and/or park, the podium height

should be limited to 3-storeys directly adjacent to the low-rise property, and subject to a 45-degree angular plane beyond that to ensure compatible height, scale and massing.

- G)** Notwithstanding the above, a range of distinct but complementary façade designs, rooflines, materials and architectural details are encouraged, particularly between adjacent mid-rise developments, to create variation within a streetscape.



Side-yard setbacks, materials and window alignment used to create a strong transition to adjacent uses.

4.5.3(2) Mitigate Impacts on Adjacent Properties

- A)** All mid-rise buildings should be subject to a comprehensive shadow study that demonstrates, to the satisfaction of the Town, that all efforts have been made to mitigate incremental shadow impacts on adjacent streets and buildings. As a general rule, all streets and buildings should maintain five hours of continuous sunlight per day.
- B)** No shadows should be present on public parkland.
- C)** Where mid-rise buildings abut lower building typologies, the overall building height should be carefully considered to provide a gradual and compatible transition to the adjacent building, and to mitigate shadow impacts. Where the overall height does not vary greatly from the adjacent building, this transition may be accommodated through side-yard stepbacks.
- D)** Where mid-rise buildings abut lower building typologies, incompatible uses (i.e. parking, loading, storage, etc.) and impacts (i.e. noise, vibration, odor privacy) should be buffered through a mix of high-quality landscaping, fences, walls, trellises, or other structures. Structures used for buffering should be designed to the same standard as the primary building.
- E)** Where mid-rise buildings create a continuous streetwall, side-yard stepbacks are recommended between the 3rd and 5th storey to maximize sky views and sunlight access to adjacent buildings. Additional stepbacks should be provided, as appropriate, to further mitigate shadow impacts on adjacent properties.
- F)** Where side windows are provided on upper storeys, the stepbacks in E) should be 5.5m from the side lot line to ensure appropriate separation distance (11.0m) between upper storeys of the buildings.
- G)** Where mid-rise buildings back onto lower building typologies, they should be set back 9.0m from the rear lot line to provide space from adjacent properties and/or to accommodate a rear lane.
- H)** Where mid-rise buildings abut lower building typologies, a 45-degree angular plane from the rear- and/or exterior side-yard lot line (at a height of 1.7m) should be applied to mitigate shadow/privacy impacts of the upper storeys of the building.
- I)** Where mid-rise buildings back onto a public street opposite lower building typologies, a 22-degree angular plane should be provided at a height of 8.9-12.1m (refer to Table 6.2.4.6 in By-law 2019-06) from the opposite lot line.



A rear-angular plane used to inform the mass of the building and provide a transition to adjacent dwellings.

- J) Where side windows are desirable on the lower storeys, an 11.0m separation distance should be provided between mid-rise buildings to mitigate privacy issues. Where side yard windows are only on one side, a 5.5m separation distance may be appropriate.
- K) Mechanical penthouses should be carefully designed and located to minimize shadow impacts.



Clear podiums (top) and vertical articulation (bottom) used to define a human-scale in larger buildings.

4.5.3(3) Create Attractive, Human-Scaled Buildings

- A) Mid-rise buildings should be no more than 60.0m in width to reinforce small, tight-knit blocks.
- B) Mid-rise buildings should have a minimum height of 5 storeys (16.5m) and a maximum height of 11 storeys (34.5m). The height of the building should generally reflect a 1:1 ratio with the width of the right-of-way in which it is located to create a well-scaled street. Within the Urban Centres, maximum heights are identified on Schedule B of the Urban Centres Zoning By-Law 2019-06.
- C) Floor-to-floor heights should be 3.0m and should be easily discernible from the exterior of the building to break the height of the building into easily perceivable sections.
- D) The ground floor of mid-rise buildings should be 4.5m in height to reinforce a strong visual presence.
- E) Slight differences in height between adjacent mid-rise buildings are encouraged to create an interesting and varied skyline.
- F) Stepbacks are encouraged between the 3rd and 5th storey to mitigate the perceived height of the building and reinforce a human scaled podium. Additional stepbacks may be appropriate to further mitigate the perceived mass of the building.
- G) Where appropriate, alternative treatments may be considered for the upper storeys to distinguish the top of the building and create a more interesting roofline.
- H) Mid-rise buildings should be carefully designed and articulated to break their mass

into smaller components through vertical recesses and projections, and the alignment of doors, windows, and other architectural features. As a general rule, 20% of the building frontage should be articulated.

- I) Articulation should generally reflect the internal use, but should limited continuous building sections to less than 25.0m.
- J) Mid-rise buildings should use high-quality materials that are appropriate within their local context, and may predominantly include brick, wood and or/stone.
- K) Facade materials should reflect their intended use, and should not be used to imitate other materials.
- L) On corner buildings, a similar degree of facade articulation should be provided on both frontages and an enhanced treatment should be considered to accentuate the corner.

4.5.3(4) Support Walkability and Active Transportation

- A) Mid-rise buildings should be no more than 60.0m in width to provide ample opportunity for pedestrian mews.
- B) On larger blocks, where multiple mid-rise buildings abut each other, pedestrian mews should be provided between buildings.
- C) Where possible, primary building entrances (i.e. lobbies) should be located in close proximity to transit stops.
- D) Where mid-rise buildings have commercial uses at grade, or public uses within residential buildings (i.e. lobbies, amenity

space), continuous weather protection should be provided to encourage active modes of transportation.

- E) Mid-rise buildings should provide ample bicycle parking/storage opportunities. Where parking is provided underground, safe and convenient access should be provided.
- F) Short-term and visitor bicycle parking should be provided in close proximity to main entrances, lobbies, pedestrian mews and shared amenity spaces.



Top: Short buildings promote walkable blocks.
Bottom: Pedestrian mews facilitate connectivity.

4.5.3(5) Minimize Vehicle Presence in the Public Realm

- A) Front-yard parking for mid-rise buildings is highly discouraged.
- B) Parking, servicing and loading for mid-rise buildings should be located underground.
- C) Where below-grade parking is not feasible, above-grade structured parking may be considered within the lower building levels, on a case-by-case basis, provided it is framed by active uses on streets and open spaces.
- D) Where above- and/or below-grade structured parking is not feasible, rear- or side-yard surface parking may be considered on a case-by-case basis provided vehicle impacts on the public realm are minimal.
- E) Vehicle access for parking, servicing and loading should be provided from a rear lane and/or secondary street to avoid vehicle conflicts with the public sidewalk.
- F) Where provided, surface parking lots should be well landscaped, including landscaped islands at the end of all parking aisles to break up expansive paved areas, and edge landscaping to screen the parking area from public view.



Vehicle uses, such as parking and garbage storage, located away from the street and screened from view.

4.5.3(6) Promote Vibrant Streets

- A)** Where no streetwall exists, mid-rise buildings should be oriented to maximize frontages on Arterial and Collector Roads.
- B)** Where no streetwall exists, mid-rise buildings with residential at grade should be set back 3.0-5.0m to accommodate front yard landscaping. Where retail is provided at grade, a 4.5-6.0m setback is recommended to accommodate wide, active boulevards.
- C)** Within the Urban Centres, additional setbacks may be required to accommodate the future burying of hydro and other utilities.
- D)** On corner buildings, and/or where buildings address POPS or other open spaces, opportunities to create unique building forms or integrate public art into the building design should be explored.
- E)** Slight variations in setbacks may be appropriate to create a varied and visually interesting streetscape, and to provide opportunities for commercial plazas and/or enhanced boulevard treatments.
- F)** The ground floor of mid-rise buildings should reinforce vibrant streets. For residential buildings, this includes active uses, such as lobbies and amenity areas, as well as individual at-grade unit entrances and private front yards. For mixed-use buildings, grade-related commercial uses should be provided.
- G)** Within those areas identified as Priority Commercial Areas in the Urban Centres, 75% of the ground floor frontage should be comprised of commercial uses.
- H)** Where grade-related commercial uses are proposed, a substantial amount of the ground floor (i.e. greater than 60%) should be clear-glazed to provide opportunities for public/private exchange.
- I)** Where appropriate, commercial uses should 'spill' onto the public sidewalk through patios, outdoor seating, and sale and display areas.
- J)** Where private front-yards are provided, no substantial built elements (i.e. stairs, porches) should encroach into the first 1.5m from the lot line of the front- or exterior side-yard.
- K)** Private front-yard landscaping should create a clear, but unobtrusive interface between the public and private realm. Low, highly-transparent fences may be appropriate.
- L)** Private front yard trees are encouraged to enhance the urban tree canopy. All trees should have access to 30.0m³ of high-quality soil.
- M)** Where residential uses are proposed at grade, front doors, large windows and active uses (i.e. kitchens, living rooms) should be oriented toward the street to provide animation and opportunities for public/private exchange.
- N)** Front porches are encouraged to provide space for street animation, and to create a grade separation between the public and private realm. They should be designed as an integrated element of the building.
- O)** Where front porches are provided, the ground floor may be up to 1.5m above grade and the materiality of the primary façade should extend all the way to the ground to minimize exposed concrete foundations.
- P)** Uses that detract from the pedestrian experience, such as garbage and storage areas, should be located at the rear of mid-rise buildings and integrated into the building where possible.

- Q)** Where these uses cannot be integrated into the building, they should be screened from public view through an enclosure that is tall enough to fully cover the use.
- R)** Garbage and storage areas should be designed using materials that are consistent with the overall design of the building and should utilize a base material that will not absorb leaks. Chain link fence is strongly discouraged.
- S)** Garbage and storage facilities should be co-ordinated with parking areas to minimize their collective footprint.



Top: Active, at-grade retail uses create vibrant streets.
Bottom: Private landscaping create a varied streetscape.

4.5.3(7) Provide Amenity Space for all Residents

- A)** All mid-rise buildings should have access to indoor and outdoor amenity space, including a combination of centrally-located shared outdoor amenity areas and upper-storey and/or rooftop patios.
- B)** Within the Urban Centres and Corridors, POPS are recommended wherever possible to create a continuous network of public open spaces.
- C)** Where upper-storey stepbacks are provided, they should be 1.5-3.0m to accommodate usable outdoor amenity space (i.e. patios).
- D)** Where shared outdoor amenity spaces are provided, they may include internal courtyards, shared rooftop terraces, hardscaped plazas, softscaped/green amenity spaces, etc.
- E)** Shared outdoor amenity areas should be located in concert with internal amenity areas.
- F)** Shared outdoor amenity areas should be conveniently located, scaled and configured to maximize functionality, and oriented to maximize sunlight access.
- G)** Shared outdoor amenity space should be well-connected to surrounding streets through either direct frontage and/or pedestrian mews.
- H)** Where possible, shared outdoor amenity spaces should be part of a broader network of integrated open spaces.
- I)** Shared outdoor amenity areas should include a variety of amenities, including seating, shade structures, exercise equipment and/or children's play areas.



Amenity space can take a range of forms, including large open parks and/or smaller urban parks and plazas.

4.5.3(8) Ensure Safety and Accessibility for All

- A)** All public areas should adhere to the principles of CPTED, including (but not limited to) natural surveillance, clear sightlines, adequate lighting, and the avoidance of entrapment areas.
- B)** All public areas should be universally accessible and should adhere to the principles and policies of the Accessibility for Ontarians with Disabilities Act.
- C)** Active uses (i.e. retail, lobbies, amenity areas, kitchens, living rooms) should be oriented toward the street to provide opportunities for casual surveillance.
- D)** Where pedestrian mews are provided, they should be framed by active uses (i.e. retail lobbies, amenity areas, kitchens, living rooms) to enhance safety through casual surveillance.
- E)** Pedestrian-scale lighting should be provided at regular intervals along building frontages, within shared outdoor amenity areas and along pedestrian mews.
- F)** Attention and directional tactile wayfinding (TWSI) should be installed in all shared outdoor amenity areas.



Pedestrian-scaled lighting used to create safe pedestrian connections at all times of day.

4.5.4 Evaluation Matrix

The following Evaluation Matrix compiles key metrics for Mid-Rise Buildings. It is meant to be used for quick reference purposes, and does not replace the guidelines in the previous section. Developers should use the Evaluation Matrix to

identify where a proposal does/does not comply with the guidelines. Where a proposal does not comply, the Evaluation Matrix should be used to provide a rationale. A digital file is available from the Town if additional space is required.

| Key Metrics | | Complies | | | |
|--|---|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Front-Yard Setbacks | | | | | |
| At-Grade Residential | 3.0-5.0m | | | | |
| At-Grade Retail | 4.5-6.0m | | | | |
| No Encroachment Zone (From Front and Exterior Side-Yard Lot Line of Residential Use) | 1.5m | | | | |
| Side-Yard Setbacks | | | | | |
| Where a Continuous Streetscape is Appropriate (Case-by-Case Basis) | 0.0m | | | | |
| Adjacent Podiums (With Windows) | 5.5m Setback 11.0m Separation | | | | |
| Adjacent Podiums (No Windows) | 2.75m Setback 5.5m Separation | | | | |
| Rear-Yard Setbacks | | | | | |
| Private Rear-Yards | 9.0m | | | | |
| Between Facing Buildings | 15.0m | | | | |
| Stepbacks/Angular Planes | | | | | |
| Rear and Side-Yard Angular Plane (From Rear- and Side Yard Lot Line Abutting Lower Building Typologies) | 45 Degrees (At 1.7m Height) | | | | |
| Rear-Yard Angular Plane (From Rear-Yard Lot Line Abutting Public Street and Lower Typology) | 22 Degrees (At 8.9-12.1m Height, subject to Table 6.2.4.6 in By-law 2019-06) | | | | |
| Front-Yard Stepbacks | 3rd/5th Storey | | | | |
| Side-Yard Stepbacks | 3rd/5th Storey | | | | |
| Stepback Depth | 1.5-3.0m | | | | |
| Stepback Depth (Facing Windows) | 5.5m (from Side Lot Line) | | | | |

Rationale
(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.5.2 achieved?)

Evaluation Matrix (Cont.)

| Key Metrics | | Complies | | | |
|---|--|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Building Width/Articulation | | | | | |
| Building Width | 60.0m | | | | |
| Building Articulation (Cumulative) | 20% | | | | |
| Building Articulation (Section Width) | 25.0m | | | | |
| Building/Podium Height | | | | | |
| Building Height (Min) | 5-Storeys (16.5m) | | | | |
| Building Height (Max) | 11-Storeys (34.5m) (Subject to Urban Centres Zoning) | | | | |
| Podium Height (Adjacent to Lower Typology) | 3-Storeys (+ 45 Degree Angular Plane from Rear and/or Side Lot Line) | | | | |
| Floor-to-Floor Height (General) | 3.0m | | | | |
| Floor-to-Floor Height (Ground) | 4.5m | | | | |
| Front Steps Height (Above Grade) | 1.5m | | | | |
| Front Steps Height (Below Grade) | 1.5m | | | | |
| Ground Floor Treatment | | | | | |
| Commercial Use (Within Priority Commercial Areas) | 75% | | | | |
| Clear Glazing (Commercial Uses) | 60% | | | | |

Rationale

(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.5.2 achieved?)

4.6 High-Rise Buildings

4.6.1 Description

High-rise buildings are 12-storeys or more in height and are typically comprised of three parts:

- **The Podium:** The podium of a high-rise building, generally the first 4 to 6-storeys, anchors the tower and dictates the building's relationship to the street and how pedestrians perceive and interact with the building.
- **The Tower:** The tower of a high-rise building contains the bulk of the density, and plays an important role in defining the urban skyline. The tower also has the greatest potential for impacts on adjacent properties, including shadows and wind.
- **The Top:** The top of a high-rise building usually contains mechanical equipment, but can be wrapped with active uses (i.e. residential units, amenity spaces, etc.). The top of a high-rise building provides the opportunity to utilize unique materials and designs to further reinforce a strong skyline.

High-rise buildings maximize density and are appropriate at strategic locations, such as rapid transit nodes and key intersections, where they can make the most efficient use of existing infrastructure (i.e. transit, servicing, etc.). When properly designed, high-rise buildings create highly imageable urban landmarks that enhance a Town's sense of place.

High-rise buildings function much like low- and mid-rise buildings, and may include a mix of residential, office and/or retail uses with a mix of unit sizes to attract diverse residents and tenants.

High-rise buildings generally define the most significant urban gateways and nodes. They are highly visible and require the highest quality of design excellence.

As the most intense form of urban development, high-rise buildings offset their density with the greatest investment in the public realm, including large public parks and plazas, community facilities, smaller POPS and/or pedestrian mews to adjacent destinations. Similarly, high-rise buildings actively promote alternative modes of transportation through enhanced cycling facilities (i.e. locks, storage, on-site showers, etc.), car-share services, etc.

As part of the investment in the public realm, parking for high-rise buildings is located underground, with access provided from a rear lane or secondary street, where it will have no impacts.

High-rise buildings should be located within the Urban Corridors and Centres. They should complement a generally mid-rise character, while providing strategic opportunities to punctuate the skyline and provide targeted investment at key nodes (i.e. Yonge Street/Davis Drive and Yonge Street/Mulock Drive).



High-rise buildings provide the greatest density in strategic locations. They are generally defined by three clear components, including a human-scaled podium, a highly-legible tower, and an articulated top.

4.6.2 Design Vision

High-rise buildings should maximize density in the most urban and transit-oriented areas. At 12-storeys and greater, they should be strategically located to provide visual landmarks that establish an attractive and memorable skyline. They should achieve the highest quality of design excellence, including a clear base, middle and top that are designed and articulated to reduce their perceived mass. The podium of a high-rise building should anchor the tower, frame the adjacent street, and provide a human-scale experience supported by vibrant and active at-grade uses. Above the podium, the tower should be carefully located and appropriately sized to minimize shadow impacts. The top of a high-rise building should further reinforce an interesting skyline. High-rise buildings should be supported by extensive public and private amenity space, including POPS, community facilities, etc.



4.6.3 Design Guidelines

To achieve the Design Vision, the Design Objectives in Section 3.0 were used to organize a series of design guidelines to ensure that new high-rise buildings:

4.6.3(1) Fit Harmoniously into the Established Context

- A)** In general, high-rise buildings should be strategically located within the Centres and along Corridors to punctuate the skyline, highlight important nodes, and to work with other building typologies to ensure a gradual and appropriate transition to established neighbourhoods.
- B)** High-rise buildings should be oriented parallel to the street to reinforce the established streetwall. Where through-lot buildings are proposed, both frontages should align with their respective streets.
- C)** High-rise buildings should be located close to the front lot line to generally reinforce a continuous streetwall. On corner lots, high-rise buildings should be located to reinforce both streetwalls.
- D)** Notwithstanding the above, slight variations in setbacks may be appropriate to create a more interesting streetscape.
- E)** Side-yard setbacks of 5.5m should be provided to maintain ample spacing (11.0m) between building podiums. Where a continuous streetscape has been established by existing buildings, no side-yard setback may be appropriate on a case-by-case basis.
- F)** The design, massing and articulation of high-rise buildings should reference (but not replicate) the prevailing character, including height, roof and cornice lines, ground floor heights and treatment, pilasters, window location and proportions, brick and material colours, etc.
- G)** Where high-rise buildings are located directly adjacent to an existing low-rise residential property and/or park, the podium height should be limited to 3-storeys directly adjacent to the low-rise property, and subject to a 45-degree angular plane beyond that.
- H)** Notwithstanding the above, a range of distinct but complementary façade/tower designs, rooflines, materials and architectural details are encouraged, particularly between adjacent high-rise developments, to create variation within a streetscape.



The height of a high-rise building should clearly relate to adjacent buildings.

4.6.3(2) Mitigate Impacts on Adjacent Properties

- A)** All high-rise buildings should be subject to a comprehensive shadow study that demonstrates, to the satisfaction of the Town, that all efforts have been made to mitigate incremental shadow impacts on adjacent streets and buildings. As a general rule, all streets and buildings should maintain five hours of continuous sunlight per day.
- B)** No shadows should be present on public parkland.
- C)** Where high-rise buildings abut lower building typologies, the overall building height should be carefully considered to provide a gradual transition to the adjacent building, and to mitigate shadow impacts.
- D)** Where high-rise buildings abut lower building typologies, incompatible uses (i.e. parking, loading, storage, etc.) and impacts (i.e. noise, vibration, odor privacy) should be buffered through a mix of high-quality landscaping, fences, walls, trellises, or other structures. Structures used for buffering should be designed to the same standard as the primary building.
- E)** Above the podium, the tower should provide a 12.5m setback from adjacent lot lines to accommodate a 25m separation distance (from building face to building face) between abutting towers in order to minimize cumulative shadow impacts, preserve sky views, and mitigate privacy concerns.
- F)** Towers should be strategically located on the podium to minimize their impacts on adjacent streets and buildings.
- G)** Towers floorplates should be slender, and should be limited to 750.0m² (excluding balconies) to ensure that shadows move off adjacent sites quickly as the sun changes position. A maximum width of 30.0m is recommended.
- H)** Where high-rise buildings create a continuous streetwall, side-yard stepbacks are recommended between the 3rd and 5th storey of the podium to maximize sky views and sunlight access to adjacent buildings.
- I)** Where side windows are provided on upper storeys, the stepbacks in H) should be 5.5m from the side lot line to ensure appropriate separation distance (11.0m) between upper storeys of the buildings.
- J)** Where high-rise buildings back onto lower building typologies, they should be set back 9.0m from the rear lot line to provide space from adjacent properties and/or to accommodate a rear lane.
- K)** Where high-rise buildings abut lower building typologies, a 45-degree angular plane from the rear- and/or exterior side-yard lot line (at a height of 1.7m) should be applied to mitigate shadow/privacy impacts of the upper storeys of the podium.
- L)** Where high-rise buildings back onto a public street opposite lower building typologies, a 22-degree angular plane should be provided at a height of 8.9-12.1m (refer to Table 6.2.4.6 in By-law 2019-06) from the opposite lot line.

- M)** Where side windows are desirable on the lower storeys, an 11.0m separation distance should be provided between high-rise building podiums to mitigate privacy issues. Where side yard windows are only on one side, a 5.5m separation distance may be appropriate.
- N)** Mechanical penthouses should be carefully designed and located to minimize shadow impacts.



Top: Narrow towers minimize shadow impacts.
Bottom: A human-scaled podium anchors the tower.

4.6.3(3) Create Attractive, Human-Scaled Buildings

- A)** High-rise buildings should have a clearly articulated podium, tower, and top to break up the perceived vertical mass of the building and ensure legibility at a variety of scales.
- B)** The podiums of high-rise buildings should be no more than 60.0m in width to reinforce small, tight-knit blocks.
- C)** High-rise buildings should have a minimum height of 12 storeys (37.5m). Within the Urban Centres, maximum heights are identified on Schedule B of the Urban Centres Zoning By-Law 2019-06.
- D)** The podium height of a high-rise building should be at least 3-storeys, and should generally reflect a 1:1 ratio with the width of the right-of-way in which it is located to create a well-scaled street.
- E)** Notwithstanding the above, a maximum podium height of 6-storeys is recommended.
- F)** Floor-to-floor heights should be 3.0m and should be easily discernible from the exterior of the building to break the height of the building into easily perceivable sections.
- G)** The ground floor of high-rise buildings should be 4.5m in height to reinforce a strong visual presence.
- H)** Slight differences in height between adjacent high-rise buildings are encouraged to create an interesting and varied skyline.
- I)** Stepbacks are encouraged between the 3rd and 5th storey to mitigate the perceived height of the building and reinforce a human scaled podium. Additional stepbacks may be appropriate to further mitigate the perceived mass of the building.



A human-scaled podium helps to create a strong presence at grade while anchoring the tower above.

- J)** High-rise buildings should be carefully designed and articulated to break their mass into smaller components through vertical recesses and projections, and the alignment of doors, windows, and other architectural features. As a general rule, 20% of the building frontage should be articulated.
- K)** Articulation should generally reflect the internal use, but should limited continuous building sections to less than 25.0m.
- L)** High-rise buildings should use high-quality materials that are appropriate within their local context, and may predominantly include brick, wood and or/stone.
- M)** Generally, 'heavier' materials (i.e. stone, brick, metal) should be used within the podium to anchor the tower. Within the tower, these materials should be used to accentuate vertical and horizontal elements, and to highlight architectural features.
- N)** The towers of high-rise buildings are generally visible from all directions, and should apply a similar level of articulation and materials quality to all sides of the tower.
- O)** Where appropriate, alternative treatments may be considered to distinguish the top of the building and create a more interesting skyline.
- P)** Facade materials should reflect their intended use, and should not be used to imitate other materials.
- Q)** On corner buildings, a similar degree of facade articulation should be provided on both frontages within the podium and an enhanced treatment should be considered to accentuate the corner.

4.6.3(4) Support Walkability and Active Transportation

- A)** High-rise building podiums should be no more than 60.0m in width to provide ample opportunity for pedestrian mews.
- B)** On larger blocks, where multiple high-rise buildings abut each other, pedestrian mews should be provided between podiums.
- C)** Where possible, primary building entrances (i.e. lobbies) should be located in close proximity to transit stops.
- D)** Where high-rise buildings have commercial uses at grade, or public uses within residential buildings (i.e. lobbies, amenity space), continuous weather protection should be provided to encourage active modes of transportation.
- E)** High-rise buildings should provide ample bicycle parking/storage opportunities. Where parking is provided underground, safe and convenient access should be provided.
- F)** Short-term and visitor bicycle parking should be provided in close proximity to main entrances, lobbies, pedestrian mews and shared amenity spaces.



Top: Pedestrian mews between high-rise buildings.
Bottom: Bicycle parking close to a building entrance.

4.6.3(5) Minimize Vehicle Presence in the Public Realm

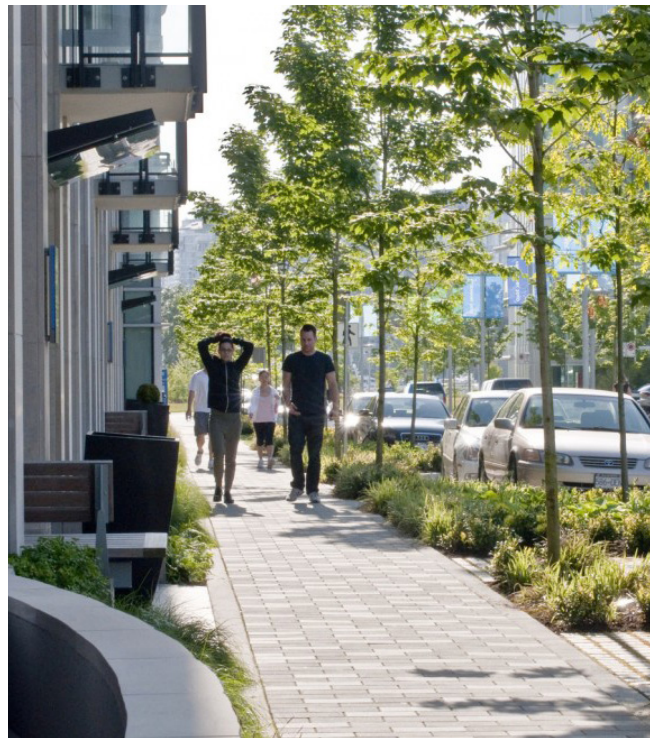
- A) Front-yard parking for high-rise buildings is highly discouraged.
- B) Parking, servicing and loading for high-rise buildings should be located underground unless it can be demonstrated, to the satisfaction of the Town, that this is not possible.
- C) Where below-grade parking is not possible, above-grade structured parking within the lower building levels is the preferred alternative, provided it is framed by active uses on streets and open spaces. In such cases, the parking levels should be designed and constructed to maximize flexibility for future conversion.
- D) Where above- and/or below-grade structured parking is not feasible, rear- or side-yard surface parking may be considered on a case-by-case basis provided vehicle impacts on the public realm are minimal.
- E) Vehicle access for parking, servicing and loading should be provided from a rear lane and/or secondary street to avoid vehicle conflicts with the public sidewalk.
- F) Where provided, surface parking lots should be well landscaped, including landscaped islands at the end of all parking aisles to break up expansive paved areas, and edge landscaping to screen the parking area from public view.



Parking and parking access provided at the rear of the building to mitigate impacts on the public realm.

4.6.3(6) Promote Vibrant Streets

- A) Where no streetwall exists, high-rise buildings should be oriented to maximize frontages on Arterial and Collector Roads.
- B) Where no streetwall exists, high-rise buildings with residential at grade should be set back 3.0-5.0m to accommodate front yard landscaping. Where retail is provided at grade, a 4.5-6.0m setback is recommended to accommodate wide, active boulevards.
- C) Within the Urban Centres, additional setbacks may be required to accommodate the future burying of hydro and other utilities.
- D) On corner buildings, and/or where buildings address POPS or other open spaces, opportunities to create unique building forms or integrate public art into the building design should be explored.
- E) Slight variations in setbacks may be appropriate to create a varied and visually interesting streetscape, and to provide opportunities for commercial plazas and/or enhanced boulevard treatments.
- F) The ground floor of high-rise buildings should reinforce vibrant streets. For residential buildings, this includes active uses, such as lobbies and amenity areas, as well as individual at-grade unit entrances and private front yards. For mixed-use buildings, grade-related commercial uses should be provided.
- G) Within those areas identified as Priority Commercial Areas in the Urban Centres, 75% of the ground floor frontage should be comprised of commercial uses.
- H) Where grade-related commercial uses are proposed, a substantial amount of the ground floor (i.e. greater than 60%) should be clear-glazed to provide opportunities for public/private exchange.
- I) Where appropriate, commercial uses should 'spill' onto the public sidewalk through patios, outdoor seating, and sale and display areas.
- J) Where private front-yards are provided, no substantial built elements (i.e. stairs, porches) should encroach into the first 1.5m from the lot line of the front- or exterior side-yard.
- K) Private front-yard landscaping should create a clear, but unobtrusive interface between the public and private realm. Low, highly-transparent fences may be appropriate.
- L) Private front yard trees are encouraged to enhance the urban tree canopy. All trees should have access to 30.0m³ of high-quality soil.



Residential building set back to incorporate private, front-yard landscaping to create an attractive

- M)** Where residential uses are proposed at grade, front doors, large windows and active uses (i.e. kitchens, living rooms) should be oriented toward the street to provide animation and opportunities for public/private exchange.
- N)** Front porches are encouraged to provide space for street animation, and to create a grade separation between the public and private realm. They should be designed as an integrated element of the building.
- O)** Where front porches are provided, the ground floor may be up to 1.5m above grade and the materiality of the primary façade should extend all the way to the ground to minimize exposed concrete foundations.
- P)** Uses that detract from the pedestrian experience, such as garbage and storage areas, should be located at the rear of high-rise buildings and integrated into the building where possible.
- Q)** Where these uses cannot be integrated into the building, they should be screened from public view through an enclosure that is tall enough to fully cover the use.
- R)** Garbage and storage areas should be designed using materials that are consistent with the overall design of the building and should utilize a base material that will not absorb leaks. Chain link fence is strongly discouraged.
- S)** Garbage and storage facilities should be co-ordinated with parking areas to minimize their collective footprint.

4.6.3(7) Provide Amenity Space for all Residents

- A)** All high-rise buildings should have access to indoor and outdoor amenity space, including a combination of centrally-located shared outdoor amenity areas and upper-storey and/or rooftop patios.
- B)** Within the Urban Centres and Corridors, POPS are recommended wherever possible to create a continuous network of public open spaces.
- C)** Where upper-storey stepbacks are provided, they should be 1.5-3.0m to accommodate usable outdoor amenity space (i.e. patios).
- D)** Where shared outdoor amenity spaces are provided, they may include internal courtyards, shared rooftop terraces, hardscaped plazas, etc.
- E)** Shared outdoor amenity areas should be located in concert with internal amenity areas.
- F)** Shared outdoor amenity areas should be conveniently located, scaled and configured to maximize functionality, and oriented to maximize sunlight access.
- G)** Shared outdoor amenity space should be well-connected to surrounding streets through either direct frontage and/or pedestrian mews.
- H)** Where possible, shared outdoor amenity spaces should be part of a broader network of integrated open spaces.
- I)** Shared outdoor amenity areas should include a variety of amenities, including seating, shade structures, exercise equipment and/or children's play areas.



Amenity space can take a range of forms, but often includes rooftop parks and/or patio space.

4.6.3(8) Ensure Safety and Accessibility for All

- A)** All public areas should adhere to the principles of CPTED, including (but not limited to) natural surveillance, clear sightlines, adequate lighting, and the avoidance of entrapment areas.
- B)** All public areas should be universally accessible and should adhere to the principles and policies of the Accessibility for Ontarians with Disabilities Act.
- C)** Active uses (i.e. retail, lobbies, amenity areas, kitchens, living rooms) should be oriented toward the street to provide opportunities for casual surveillance.
- D)** Where pedestrian mews are provided, they should be framed by active uses (i.e. retail lobbies, amenity areas, kitchens, living rooms) to enhance safety through casual surveillance.
- E)** Pedestrian-scale lighting should be provided at regular intervals along building frontages, within shared outdoor amenity areas and along pedestrian mews.
- F)** Attention and directional tactile wayfinding (TWSI) should be installed in all shared outdoor amenity areas.

4.6.4 Evaluation Matrix

The following Evaluation Matrix compiles key metrics for High-Rise Buildings. It is meant to be used for quick reference purposes, and does not replace the guidelines in the previous section. Developers should use the Evaluation Matrix to

identify where a proposal does/does not comply with the guidelines. Where a proposal does not comply, the Evaluation Matrix should be used to provide a rationale. A digital file is available from the Town if additional space is required.

| Key Metrics | | Complies | | | |
|--|---|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Front-Yard Setbacks | | | | | |
| At-Grade Residential | 3.0-5.0m | | | | |
| At-Grade Retail | 4.5-6.0m | | | | |
| No Encroachment Zone (From Front and Exterior Side-Yard Lot Line of Residential Use) | 1.5m | | | | |
| Side-Yard Setbacks | | | | | |
| Where a Continuous Streetscape is Appropriate (Case-by-Case Basis) | 0.0m | | | | |
| Adjacent Podiums (With Windows) | 5.5m Setback 11.0m Separation | | | | |
| Adjacent Podiums (No Windows) | 2.75m Setback 5.5m Separation | | | | |
| Rear-Yard Setbacks | | | | | |
| Private Rear-Yards | 9.0m | | | | |
| Between Facing Buildings | 15.0m | | | | |
| Stepbacks/Angular Planes | | | | | |
| Rear and Side-Yard Angular Plane (From Rear- and Side Yard Lot Line Abutting Lower Building Typologies) | 45 Degrees (At 1.7m Height) | | | | |
| Rear-Yard Angular Plane (From Rear-Yard Lot Line Abutting Public Street and Lower Typology) | 22 Degrees (At 8.9-12.1m Height, subject to Table 6.2.4.6 in By-law 2019-06) | | | | |
| Front-Yard Stepbacks | 3rd/5th Storey | | | | |
| Side-Yard Stepbacks | 3rd/5th Storey 12.5m Setbacks | | | | |
| Stepback Depth | 1.5-3.0m | | | | |
| Stepback Depth (Facing Windows) | 5.5m (From Side Lot Line) | | | | |

Rationale

(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.6.2 achieved?)

Evaluation Matrix (Cont.)

| Key Metrics | | Complies | | | |
|---|---|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| TOWER DESIGN/PLACEMENT | | | | | |
| Tower Separation | 25.0m | | | | |
| Tower Floorplate | 750.0m ² | | | | |
| Tower Width | 30.0m | | | | |
| Building Width/Articulation | | | | | |
| Building Width | 60.0m | | | | |
| Building Articulation (Cumulative) | 20% | | | | |
| Building Articulation (Section Width) | 25.0m | | | | |
| Building/Podium Height | | | | | |
| Building Height (Min) | 12-Storeys (37.5m) | | | | |
| Building Height (Max) | Subject to Urban Centres Zoning) | | | | |
| Podium Height (Min) | 3-Storeys | | | | |
| Podium Height (Max) | 6-Storeys (Subject to 1:1 Ratio with Adjacent ROW) | | | | |
| Floor-to-Floor Height (General) | 3.0m | | | | |
| Floor-to-Floor Height (Ground) | 4.5m | | | | |
| Front Steps Height (Above Grade) | 1.5m | | | | |
| Front Steps Height (Below Grade) | 1.5m | | | | |
| Ground Floor Treatment | | | | | |
| Commercial Use (Within Priority Commercial Areas) | 75% | | | | |
| Clear Glazing (Commercial Uses) | 60% | | | | |

Rationale
(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.6.2 achieved?)

4.7 Heritage Infill Buildings

4.7.1 Description

Heritage infill buildings are generally low- to mid-rise buildings located within an existing heritage context, such as Main Street South. Heritage infill buildings may be new buildings on vacant or underutilized sites, or significant additions to existing buildings.

New heritage infill buildings typically reflect the established character of the street, including the streetwall height, building setbacks, and the general style and arrangement of architectural features, such as windows, cornice lines, entrances, etc. In most cases, heritage infill buildings are located on a commercial street, and significant efforts are made to ensure the ground floor treatment reinforces the established tight-knit retail character.

Notwithstanding the above, heritage infill buildings do not necessarily mimic the existing character, or try to recreate heritage. In many cases, new heritage infill buildings are more contemporary in style, and it is this juxtaposition that makes them a successful addition to the streetscape.

Where heritage infill buildings consist of an addition to an existing heritage building, efforts are generally made to restore the original character of the primary building (as necessary), while the new addition reflects a more contemporary style.

In either case, where a heritage infill building is taller than the established streetscape, upper-storeys are generally stepped back to reduce shadows, mitigate the perceived mass of the building, and to facilitate appropriate transitions to adjacent properties.

Heritage infill buildings can add significant residential density within a downtown and/or main street context, and can substantially help to activate the area.

Parking for a heritage infill building is ideally located underground. However, as these sites are often constrained, unique parking solutions may be required. Similarly, while private amenity space can be easily accommodated through rooftop terraces and interior facilities, outdoor amenity space at grade may not be achievable.



Heritage infill buildings include new buildings within a heritage main street context and/or additions and renovations to existing heritage buildings.

4.7.2 Design Vision

Heritage infill buildings, including new buildings and/or additions to existing buildings, should respect and enhance the established character of the street while creating a unique and exciting project. Rather than mimicking the existing character, the design should reinforce key elements and features, including streetwall height, materials and datum lines (i.e. ground floor height, cornices, window size and alignment, entrances, etc.). Where heritage infill buildings are taller than the established context, they should be carefully designed and massed to mitigate their impacts on adjacent properties. Within the ground floor, heritage infill buildings should reinforce a tight-knit retail street with smaller retail units that attract and encourage a diversity of tenants.



4.7.3 Design Guidelines

To achieve the Design Vision, the Design Objectives in Section 3.0 were used to organize a series of design guidelines to ensure that new heritage infill buildings:

4.7.3(1) Fit Harmoniously into the Established Context

- A)** Heritage infill buildings should be oriented parallel to the street to reinforce the established streetwall.
- B)** Heritage infill buildings should be located close to the front lot line to generally reinforce a continuous streetwall. Heritage infill buildings on corner lots should be located to reinforce both streetwalls.
- C)** Notwithstanding the above, slight variations in setbacks may be appropriate to create a more interesting streetscape.
- D)** Within a porous streetscape, side-yard setbacks of 5.5m should be provided to maintain ample spacing (11.0m) between buildings. Where a continuous streetscape has been established by existing buildings, this setback can be reduced (or removed entirely).
- E)** Where an existing heritage building is adaptively re-used, original features (i.e. windows, doors, cladding, storefront features, etc.) should be maintained and/or restored to their original condition and used to determine the style and proportion of new elements within the existing building.
- F)** The design, massing and articulation of heritage infill buildings, or additions to existing heritage buildings, should reference (but not replicate) the prevailing heritage character, including height, roof and cornice lines, ground floor heights and treatment, pilasters, window location and proportions, brick and material colours, etc. Specific care should be taken to ensure storefronts, including recessed entries, signage style and location, lighting, awnings, etc. are heritage appropriate.
- G)** Notwithstanding the above, a range of distinct but complementary façade designs, rooflines, materials and architectural details are encouraged.
- H)** Where a new addition is provided on an existing heritage building, the addition should be clearly distinguishable from the existing building. In many cases, a more contemporary style may be appropriate to provide a clear juxtaposition between past and present.



Additions to existing heritage buildings should reinforce existing datum lines.

4.7.3(2) Mitigate Impacts on Adjacent Properties

- A) Where heritage infill buildings above 4-storeys are permitted, they should be subject to a comprehensive shadow study that demonstrates, to the satisfaction of the Town, that all efforts have been made to mitigate incremental shadow impacts on adjacent streets and buildings. As a general rule, all streets and buildings should maintain five hours of continuous sunlight per day.
- B) No shadows should be present on public parkland.
- C) Where heritage infill buildings, or additions to existing heritage buildings, are taller than adjacent buildings, the overall building height should be carefully considered to provide a gradual transition to the adjacent building, and to mitigate shadow impacts. Where the overall height does not vary greatly from the adjacent building, this transition may be accommodated through side-yard stepbacks.
- D) Where existing heritage buildings create a continuous streetwall, side-yard stepbacks are recommended above the established streetwall height to maximize sky views and sunlight access to adjacent buildings. Additional stepbacks should be provided, as appropriate, to further mitigate shadow impacts on adjacent properties.
- E) Where side windows are provided above the established streetwall, the stepbacks in D) should be 5.5m from the side lot line to ensure appropriate separation distance (11.0m) between buildings.
- F) Where heritage infill buildings back onto lower building typologies, they should be set back 7.5m from the rear lot line to provide space from adjacent properties and/or to accommodate a rear lane.
- G) Where heritage infill buildings back onto lower building typologies, a 45-degree angular plane from the rear lot line should be applied to mitigate shadow/privacy impacts of the upper storeys of the building.
- H) On a new heritage infill building, where side windows are desirable, an 11.0m separation distance should be provided between adjacent buildings to mitigate privacy issues. Where there are no side-yard windows on the existing building, a 5.5m separation distance may be appropriate provided it does not hinder the development potential of the adjacent site.
- I) Mechanical penthouses should be carefully designed and located to minimize shadow impacts.



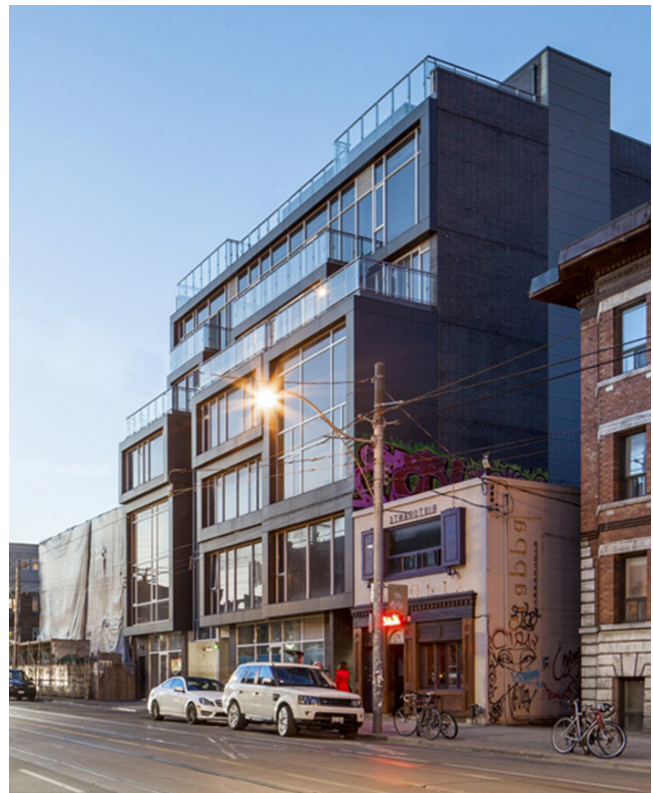
Stepbacks are used to provide transitions to adjacent properties and to mitigate shadows impacts.

4.7.3(3) Create Attractive, Human-Scaled Buildings

- A) Where multiple lots are consolidated, heritage infill buildings should be no more than 60.0m in width to reinforce small, tight-knit blocks.
- B) Heritage infill buildings should have a minimum height that is consistent with the established heritage streetwall and a maximum height that generally reflects a 1:1 ratio with the width of the right-of-way in which it is located to create a well-scaled street.
- C) Floor-to-floor heights should be 3.0m and should be easily discernible from the exterior of the building to break the height of the building into easily perceivable sections.
- D) The ground floor of heritage infill buildings should reflect the historic ground floor height. Slight variations may be acceptable to reflect adjacent uses.
- E) Heritage infill buildings, and additions to existing heritage buildings, are encouraged to create slight differences in height between adjacent buildings to create an interesting and varied skyline.
- F) Stepbacks are encouraged above the established streetwall to mitigate the perceived height of the building and reinforce a human scaled podium. Additional stepbacks should be provided, as appropriate, to further mitigate the perceived mass of the building.
- G) Where appropriate, alternative treatments may be considered for the upper storeys to distinguish the top of the building and create a more interesting roofline.
- H) Heritage infill buildings should be carefully designed and articulated to break their mass into smaller components that reflect the established pattern of tight-knit retail uses

through vertical recesses and projections, and the alignment of doors, windows, and other architectural features.

- I) Heritage infill buildings should use high-quality materials that are appropriate within their established streetscape, and may predominantly include brick, wood and or/ stone.
- J) Facade materials should reflect their intended use, and should not be used to imitate other materials.
- K) On corner buildings, a similar degree of facade articulation should be provided on both frontages and an enhanced treatment should be considered to accentuate the corner.



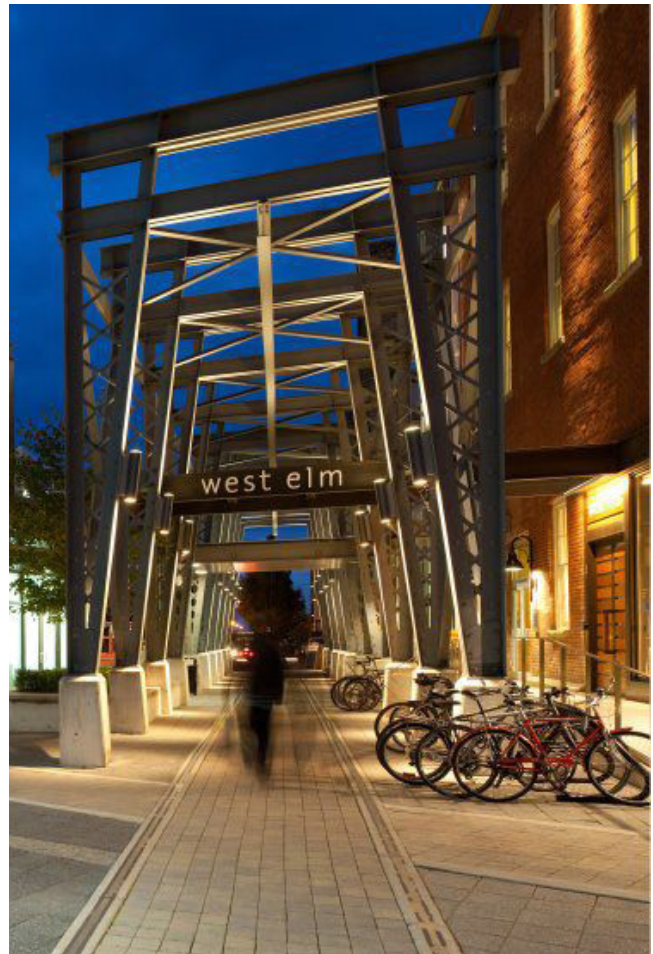
Podiums can be used to reinforce an established streetwall while providing private patio space.

4.7.3(4) Support Walkability and Active Transportation

- A)** Heritage infill buildings should be no more than 60.0m in width to provide ample opportunity for pedestrian mews.
 - B)** Where possible, primary building entrances (i.e. lobbies) should be located in close proximity to transit stops.
 - C)** Where heritage infill buildings have commercial uses at grade, or public uses within residential buildings (i.e. lobbies, amenity space), continuous weather protection should be provided to encourage active modes of transportation.
 - D)** Heritage infill buildings should provide ample bicycle parking/storage opportunities. Where parking is provided underground, safe and convenient access should be provided.
 - E)** Short-term and visitor bicycle parking should be provided in close proximity to main entrances, lobbies, pedestrian mews and shared amenity spaces.
- D)** Vehicle access for parking, servicing and loading should be provided from a rear lane and/or secondary street to avoid vehicle conflicts with the public sidewalk.
 - E)** Where provided, surface parking lots should be well landscaped, including landscaped islands at the end of all parking aisles to break up expansive paved areas, and edge landscaping to screen the parking area from public view.

4.7.3(5) Minimize Vehicle Presence in the Public Realm

- A)** Front-yard parking for infill buildings within a heritage context should be prohibited.
- B)** Parking, servicing and loading for mid-rise buildings should be located on street and/or underground.
- C)** Where below-grade structured parking is not feasible, rear- or side-yard surface parking may be considered on a case-by-case basis provided vehicle impacts on the public realm are minimal.



Pedestrian mews and conveniently-located bike parking reinforce walkability and reduce vehicle dependency.

4.7.3(6) Promote Vibrant Streets

- A)** Heritage infill buildings should generally reinforce the existing streetwall. However, slight variations in setbacks may be appropriate to create a varied and visually interesting streetscape, and to provide opportunities for commercial plazas and/or enhanced boulevard treatments.
- B)** The ground floor of heritage infill buildings should reinforce vibrant streets, including grade-related commercial uses where appropriate.
- C)** Where grade-related commercial uses are proposed, a substantial amount of the ground floor (i.e. greater than 60%) should be clear-glazed to provide opportunities for public/private exchange.
- D)** Where appropriate, commercial uses should 'spill' onto the public sidewalk through patios, outdoor seating, and sale and display areas.
- E)** Uses that detract from the pedestrian experience, such as garbage and storage areas, should be located at the rear of heritage infill buildings and integrated into the building where possible.
- F)** Where these uses cannot be integrated into the building, they should be screened from public view through an enclosure that is tall enough to fully cover the use.
- G)** Garbage and storage areas should be designed using materials that are consistent with the overall design of the building and should utilize a base material that will not absorb leaks. Chain link fence is strongly discouraged.

- H)** Garbage and storage facilities should be co-ordinated with parking areas to minimize their collective footprint.



Vertical articulation used to break buildings into smaller components that reflect existing tight-knit retail streets.

4.7.3(7) Provide Amenity Space for all Residents

- A)** Heritage infill buildings with a substantial residential component should have access to indoor and outdoor amenity space, including shared outdoor amenity areas (where space permits) and/or upper-storey and rooftop patios.
- B)** Within the Urban Centres and Corridors, POPS are recommended wherever possible to create a continuous network of public open spaces.
- C)** Where upper-storey stepbacks are provided, they should be 1.5-3.0m to accommodate usable outdoor amenity space (i.e. patios).
- D)** Where shared outdoor amenity spaces are provided, they may include internal courtyards, shared rooftop terraces, hardscaped plazas, etc.
- E)** Shared outdoor amenity areas should be located in concert with internal amenity areas.
- F)** Shared outdoor amenity areas should be conveniently located, scaled and configured to maximize functionality, and oriented to maximize sunlight access.
- G)** Shared outdoor amenity space should be well-connected to surrounding streets through either direct frontage and/or pedestrian mews.
- H)** Where possible, shared outdoor amenity spaces should be part of a broader network of integrated open spaces.
- I)** Shared outdoor amenity areas should include a variety of amenities, including seating, shade structures, exercise equipment and/or children's play areas.



Shared outdoor spaces should provide a variety of amenities, including seating, public art, and landscaping.

4.7.3(8) Ensure Safety and Accessibility for All

- A)** All public areas should adhere to the principles of CPTED, including (but not limited to) natural surveillance, clear sightlines, adequate lighting, and the avoidance of entrapment areas.
- B)** All public areas should be universally accessible and should adhere to the principles and policies of the Accessibility for Ontarians with Disabilities Act.
- C)** Active uses (i.e. retail, lobbies, amenity areas, kitchens, living rooms) should be oriented toward the street to provide opportunities for casual surveillance.
- D)** Where pedestrian mews are provided, they should be framed by active uses (i.e. retail lobbies, amenity areas, kitchens, living rooms) to enhance safety through casual surveillance.
- E)** Pedestrian-scale lighting should be provided at regular intervals along building frontages, within shared outdoor amenity areas and along pedestrian mews.
- F)** Attention and directional tactile wayfinding (TWSI) should be installed in all shared outdoor amenity areas.



Large, highly transparent grade-level windows enhance safety and provide opportunities for casual surveillance.

4.7.4 Evaluation Matrix

The following Evaluation Matrix compiles key metrics for Heritage Infill Buildings. It is meant to be used for quick reference purposes, and does not replace the guidelines in the previous section. Developers should use the Evaluation

Matrix to identify where a proposal does/ does not comply with the guidelines. Where a proposal does not comply, the Evaluation Matrix should be used to provide a rationale. A digital file is available from the Town if additional space

| Key Metrics | | Complies | | | |
|--|----------------------------------|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Front-Yard Setbacks | | | | | |
| At-Grade Residential | Established Setback | | | | |
| At-Grade Retail | Established Setback | | | | |
| Side-Yard Setbacks | | | | | |
| Where a Continuous Streetscape is Appropriate (Case-by-Case Basis) | 0.0m | | | | |
| Adjacent Podiums (With Windows) | 5.5m Setback 11.0m Separation | | | | |
| Adjacent Podiums (No Windows) | 2.75m Setback 5.5m Separation | | | | |
| Rear-Yard Setbacks | | | | | |
| Private Rear-Yards | 9.0m | | | | |
| Between Facing Buildings | 15.0m | | | | |
| Stepbacks/Angular Planes | | | | | |
| Rear-Yard Angular Plane (From Rear-Yard Lot Line) | 45 Degrees | | | | |
| Front-Yard Stepbacks | Established Streetwall | | | | |
| Side-Yard Stepbacks | Established Streetwall | | | | |
| Stepback Depth | 1.5-3.0m | | | | |
| Stepback Depth (Facing Windows) | 5.5m (From Side Lot Line) | | | | |

Rationale

(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.7.2 achieved?)

Evaluation Matrix (Cont.)

| Key Metrics | | Complies | | | |
|--|--------------------------------|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Building Width/Articulation | | | | | |
| Building Width | 60.0m | | | | |
| Building/Podium Height | | | | | |
| Building Height (Min) | Established Streetwall | | | | |
| Building Height (Max) | Up to 1:1 Ratio with ROW Width | | | | |
| Podium Height (Adjacent to Lower Typology) | Established Streetscape | | | | |
| Floor-to-Floor Height (General) | 3.0m | | | | |
| Floor-to-Floor Height (Ground) | 4.5m | | | | |
| Ground Floor Treatment | | | | | |
| Clear Glazing (Commercial Uses) | 60% | | | | |

Rationale

(How are the Design Objectives in Section 3.0 and the Design Vision in Section 4.7.2 achieved?)

5.0 POPS Design Guidelines

5.1 Overview

The Town of Newmarket has recently approved a Parkland Dedication By-law that requires residential development (greater than 1000.0m²) within the Urban Centres to provide a physical land contribution (7.5% minimum) to the Urban Parks System. In support of this, the by-law encourages progressive, urban parkland typologies such as:

- Neighbourhood Parks;
- Urban Squares;
- Plazas;
- Pocket Parks;
- Sliver Spaces;
- Pedestrian Mews;
- Privately Owned Public Spaces (POPS); and,
- Strata Parks.



POPS should provide attractive, comfortable amenity space for private residents and public users.

As new development occurs, specifically mid- and high-rise projects in the Urban Centres, POPS will be important in offsetting increased densities by providing a variety of unique and engaging public spaces for all residents of Newmarket to enjoy.

The following section provides an overview of the POPS spaces that may be appropriate in Newmarket. A Design Vision outlines the general intent of these spaces, comprehensive guidelines are provided to inform the design and development of POPS, and an Evaluation Matrix summarizes the key metrics for quick reference and evaluation.

“POPS offset increased density by providing a variety of unique and engaging public spaces”

5.1.1 Description

The Town's Parkland Dedication By-law defines POPS as 'physical space that is privately owned but appears and functions as public space.' As new development occurs, POPS are secured through easements provided to the Town and are designed and maintained to the satisfaction of the Town. POPS are fully accessible to all members of the public, though can be subject to a schedule at the discretion of the Town.

POPS can take a variety of forms, and may include:

- **Pocket Parks:** Small (70-2,500m²), predominantly hard-surfaced (minimum 75.0m²) parks with frontage on a public street that accommodate passive recreation activities and other unstructured activities.
- **Urban Squares and Plazas:** Urban parkland that includes smaller, specialized spaces that are intended to provide locations for unorganized and passive social, cultural and leisure activities, and should emphasize opportunities for the provision of public art and cultural expression. They may include formal and informal playgrounds, seating areas and unstructured green space.
- **Sliver Spaces:** Physical amenity space, such as plazas and forecourts, that add to the width of the existing sidewalk. As a POPS, sliver spaces should be large enough to accommodate informal programming (i.e. buskers, small performances, seating, etc.).
- **Strata Parks:** Physical amenity space located on top of a building or structure, such as a parking garage or a public facility (i.e. library, community centre, etc.).
- **Internal Courtyards:** Large, open spaces at the base of a building with direct access to the public sidewalk. May include internal retail entrances and 'spill-out' areas, but should predominantly include free, welcoming pedestrian space.
- **Pedestrian Mews:** Short, 6.0m wide pedestrian-only laneways that provide key mid-block connections and/or access to additional amenity space.

POPS should be provided throughout the Urban Centres to increase the Town's Urban Park System, promote healthy, active lifestyles, and to support alternatives modes of transportation.



POPS provide a variety of attractive and engaging public amenity spaces, and may include pocket parks, urban squares and plazas, courtyards and pedestrian mews.

5.1.2 Design Vision

Privately Owned Public Spaces (POPS) should be provided throughout the urban centres to enhance the Town's urban park system, promote active, healthy lifestyles and to facilitate active transportation and connectivity through permeable blocks. Where POPS are provided, they should be directly accessible from the public sidewalk or easily located through clearly-identified pedestrian mews. POPS should be urban in nature, and should provide opportunities for a range of activities subject to their context. POPS should be safe, universally accessible, and should be framed by active uses to enhance their vibrancy and provide opportunities for casual surveillance. Where POPS are located on top of, or within a structure, they should be clearly signed to ensure they are recognized as public spaces.



5.1.3 Design Guidelines

To achieve the Design Vision, the following design guidelines apply to POPS.

5.1.3(1) Location

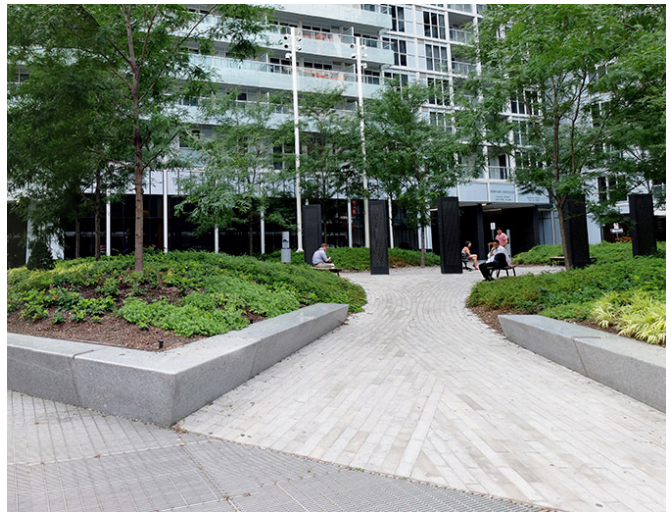
- A)** POPS should be located wherever possible, but should be considered within the broader Urban Parks System to ensure that all residents have access to a park or public amenity space within 400.0m (5 minute walking distance).
- B)** Notwithstanding the above, all efforts should be made to secure POPS at strategic locations, including gateways, key nodes, terminus streets, etc.
- C)** POPS should generally be located at grade, in highly visible areas, with at least 7.5m of direct frontage on a public street.
- D)** Internal amenity space may be considered as a POPS provided that it is clearly accessible, both visually and physically, for users of all ages and abilities.
- E)** For the above space to be considered in lieu of a street fronting space, it must be demonstrated that it offers a specific value (i.e. unique views, enhanced microclimate, historic significance, natural heritage connections, etc.).
- F)** Where POPS are located internally to a site, or in another less visible areas, clear directional signage should be provided.
- G)** Where POPS include pedestrian mews, they should be located between buildings to enhance permeability, break up larger blocks, and promote walkability.



POPS should be located at the street edge and where appropriate, provide connections between buildings.

5.1.3(2) Design

- A)** POPS should be a minimum of 75.0m² to ensure active use and enjoyment. Where pedestrian mews are provided as part of the Urban Park System, they should be a minimum of 6.0m in width.
- B)** POPS may reflect a variety of forms, including urban squares and plazas, pocket parks, sliver spaces, strata parks, internal atriums, and/or pedestrian mews.
- C)** POPS should be designed to ensure a seamless transition between the public and private realm, free of physical and/or visual barriers that may suggest the space is private. They should not be designed as a 'feature' of the adjacent building.
- D)** POPS should be designed as a complete space and/or amenity. Sections of a POPS should not be physically or visually separated from the larger space to serve a private function (i.e. building access).
- E)** POPS should be considered and designed as an integral component of overall Urban Park System and should facilitate important community connections and/or a required function within the system.
- F)** POPS should play an important role in on-site stormwater management, providing innovative opportunities for Low Impact Development (i.e. permeable paving, rain gardens, bioswales, etc.) that can capture and absorb stormwater.
- G)** POPS should generally reflect the character of the area in which they are located. As the Urban Centres redevelop, this is likely to inform a more unique and contemporary character.
- H)** Where POPS are located at gateways, they should reflect a high level of design that reinforces a 'front door' and may include community event space, decorative planting, public art, special paving, furniture and other built elements (i.e. water features, feature walls, etc.).
- I)** Where POPS are located adjacent to natural heritage features, they should read as an extension of the natural heritage feature into the site through tree planting, species selection, and the arrangement of features.
- J)** Where POPS are predominantly hardscaped (i.e. urban plazas), a variety of paving materials and techniques are encouraged to create variety and distinguish POPS from the remainder of the streetscape.
- K)** Landscaping, trees and seating areas are encouraged within POPS to break up the space and provide for passive gathering and socializing. Opportunities may also be delineated for public art displays, small performance spaces, etc.
- L)** Where landscaping is provided within POPS, native species should be utilized to provide habitat for small insects, birds, etc. and to minimize maintenance and irrigation requirements.
- M)** Where trees are provided within POPS, they should have access to a minimum of 30.0m³ of good quality soil. This can be shared between trees.
- N)** In predominantly hardscaped POPS, trees should be accommodated in structural soil cells to achieve, or exceed minimum soil requirements.



POPS can take a variety of forms, but should generally reflect their context and be highly visible and accessible.

5.1.3(3) Programming

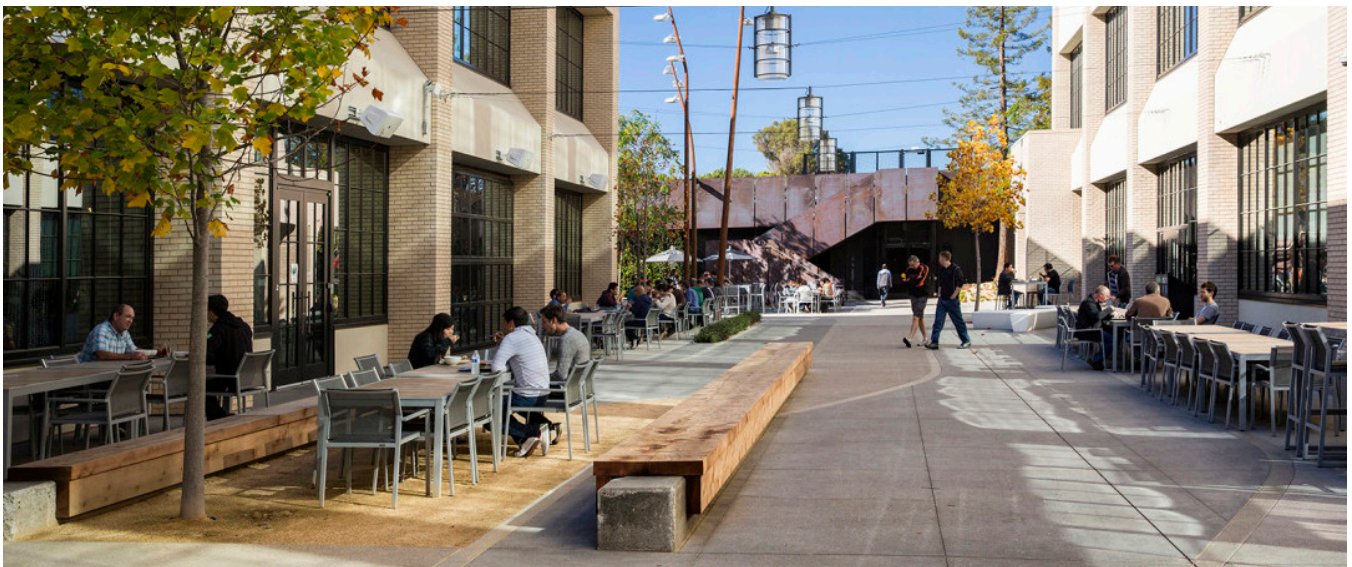
- A)** POPS should be purposefully designed and programmed and should not be 'leftover' space and/or space used for other on-site requirements (i.e. fire access, snow storage, landscape setbacks, etc.).
- B)** POPS should accommodate a mix of small-scale passive and active uses for users of all ages and abilities, and may include seating areas, children's playgrounds, exercise equipment, and/or community gardens.
- C)** Where seating is provided, a variety of standards are encouraged to accommodate a range of social activities and group dynamics. Movable seating is encouraged.
- D)** Playground equipment should be imaginative, easily maintained and located in areas that are well shaded.
- E)** Along pedestrian mews, regular seating should be provided to provide opportunities to rest and to socialize.
- F)** Where commercial uses front onto POPS, they should have spill-out uses (i.e. cafes, patios, etc.) that frame the edge of the POPS. In such cases, the commercial uses should not interfere with pedestrian circulation or the general function of the POPS.
- G)** Where residential uses front onto larger POPS (i.e. large Pocket Parks), consideration should be given to providing individual at-grade entrances to further animate the space and provide greater diversity through private landscaping. In such cases, a public pathway should be provided at the edge of the POPS to ensure it is not perceived as private amenity space.
- H)** Where residential uses front onto pedestrian mews, secondary building entrances should be provided to activate the space.
- I)** Where POPS are provided in tandem with at-grade commercial uses, they should be accessible without having to access the commercial use and without making a purchase.
- J)** Public art and/or landscape design features should be provided within POPS to enhance the character of the space.
- K)** Where appropriate, opportunities for outdoor education (i.e. signage, interactive features, etc.) should be integrated into POPS that are on special sites, or within unique areas in the Town.



Seating in POPS should be flexible to accommodate a variety of users and interactions.

5.1.3(4) Safety

- A)** POPS should adhere to the principles of Crime Prevention through Environmental Design (CPTED) and should be safe at all times of the day.
- B)** The perimeter of POPS should be framed by buildings and/or streets to maximize safety and visibility. At least one edge of a POPS should connect to a public street.
- C)** Internally, active building elements (i.e. retail uses, living areas, amenity rooms) should be oriented toward the POPS to enhance safety through casual surveillance.
- D)** Where trees are provided within POPS, they should be regularly pruned to ensure branches do not obstruct pedestrian pathways.
- E)** Where trees and/or landscaping is provided at the edge of a POPS, they should not obscure views into the space.
- F)** Pedestrian-scaled lighting and emergency beacons should be provided within POPS to enhance safety.



POPS should be lined with active uses, where possible, to enhance safety through casual surveillance.

5.1.3(5) Access and Accessibility

- A)** POPS should be safe, and fully accessible, at all operating times and for people of all ages and abilities.
- B)** POPS should be barrier-free, adhere to AODA principles, and be accessible for people of all ages and abilities.
- C)** All pathways within POPS should be a minimum of 2.1m to facilitate two-way traffic.
- D)** Attention and directional tactile wayfinding signage should be installed throughout POPS.
- E)** Signage for POPS should be designed and located to clearly indicate that the space is intended for public access.
- F)** Where vehicular access to POPS is required, it should be limited to maintenance and emergency vehicles and should be controlled using removable bollards.



Top: POPS should be accessible for all users.
Bottom: Signage should be used to clearly identify POPS.

5.1.3(6) Microclimate

- A)** POPS should be situated to maximize their sunlight access (i.e. south facing where possible) and should be designed to mitigate the impacts of excessive wind.
- B)** Paving materials used in POPS should be high albedo to mitigate the urban heat island effect.
- C)** Trees should be planted, where appropriate, within POPS to provide shade and expand the urban tree canopy.
- D)** Where new trees are proposed within a POPS, they should have a minimum caliper of 70mm to promote shade and mitigate the urban heat island effect.
- E)** POPS should utilize the principles of Low Impact Development to offset the extensive paving elements and to minimize the impacts of stormwater run-off.
- F)** Where lighting is provided within POPS, it should be LED, and designed and located to be dark sky friendly.



Trees, canopies and the general location of POPS should be used to control microclimate impacts.

5.1.4 Evaluation Matrix

The following Evaluation Matrix compiles key metrics for POPS. It is meant to be used for quick reference purposes, and does not replace the guidelines in the previous section. Developers should use the Evaluation Matrix to identify

where a proposal does/does not comply with the guidelines. Where a proposal does not comply, the Evaluation Matrix should be used to provide a rationale. A digital file is available from the Town if additional space is required.

| Key Metrics | | Complies | | | |
|------------------------------------|--------------------|----------|----|--------|-----|
| | | Yes | No | Partly | N/A |
| Location | | | | | |
| Access to Urban Parks System | Within 400.0m | | | | |
| Public Frontage | 7.5m | | | | |
| Design and Programming | | | | | |
| Minimum Size (Parks, Plazas, Etc.) | 75.0m ² | | | | |
| Minimum Width (Pedestrian Mews) | 6.0m | | | | |
| Tree Soil Access | 30.0m ³ | | | | |
| Microclimate | | | | | |
| Minimum Tree Caliper | 70.0mm | | | | |
| Access and Accessibility | | | | | |
| Pathway Width | 2.1m | | | | |

Rationale

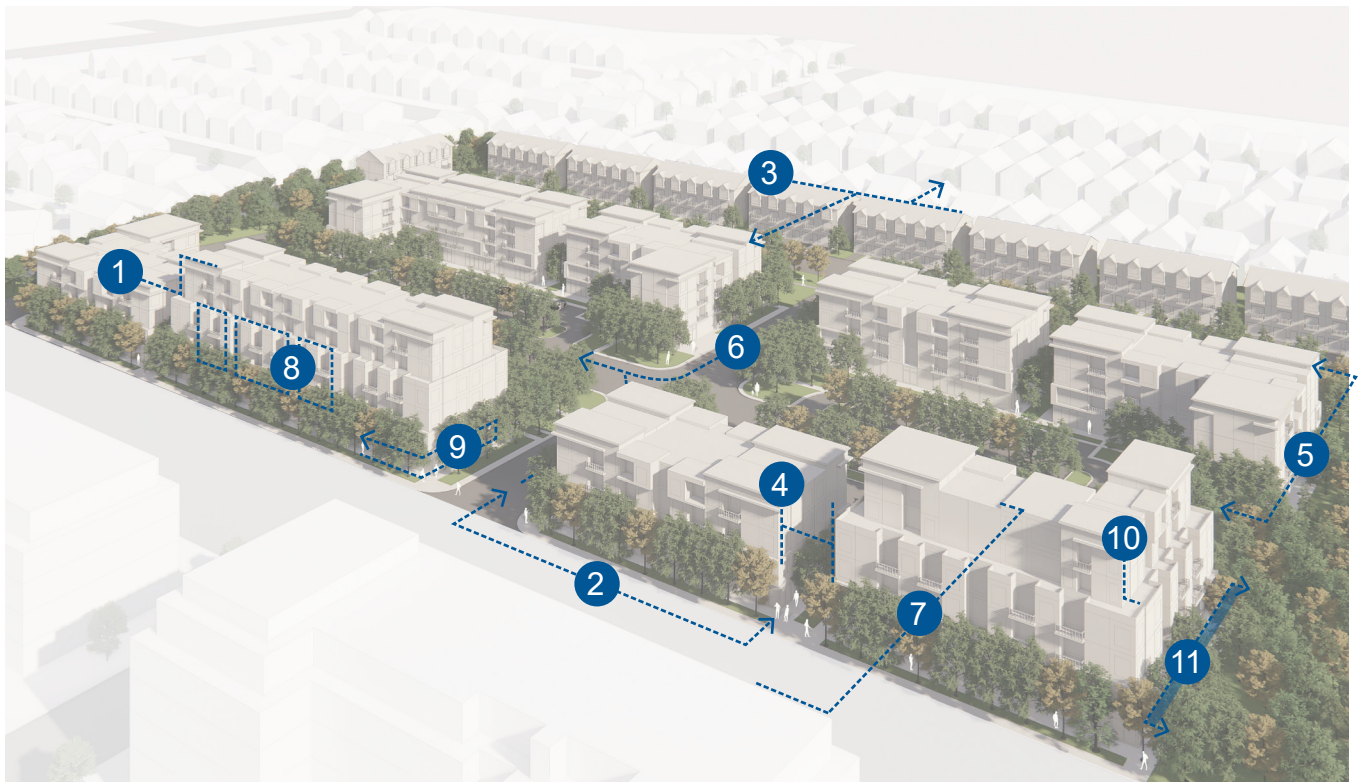
(How are the Design Objectives in Section 3.0 and the Design Vision in Section 5.1.2 achieved?)

6.0 Demonstration Plans

The Demonstration Plans that follow use representative sites to illustrate how the guidelines work together to create an attractive and unified site, including the integration of a range of building heights and typologies, open spaces, and streetscape and public realm

elements. The demonstration plans represent one possible way in which the guidelines can be achieved, and it is anticipated that a number of design solutions could similarly achieve the intent of the design guidelines.

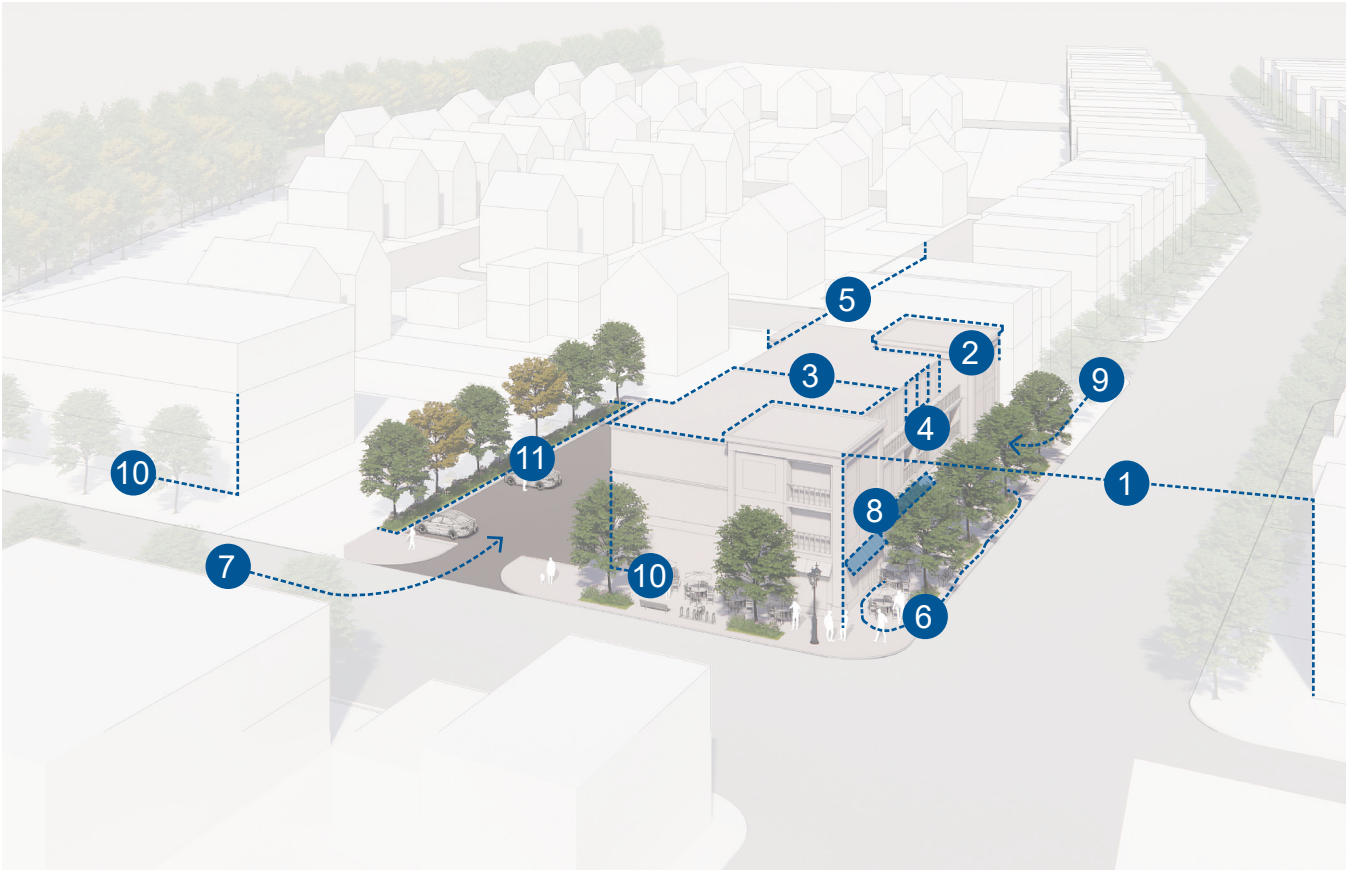
6.1 Site # 1: Large Site on an Arterial Road



- 1 Stepbacks and height reductions provide height transitions between adjacent uses.
- 2 Internal streets and pedestrian mews used to create small, permeable blocks.
- 3 Townhouses provide a transition between mid-rise and existing neighbourhoods.
- 4 Ample spacing between buildings mitigates shadows and maximizes privacy.
- 5 Street trees, wide-sidewalks and a linear park 'pull' the adjacent park into the site.
- 6 Parking, servicing and loading located at the rear of buildings where it is not visible.
- 7 New mid-rise buildings reflect the scale established by existing buildings.
- 8 Larger buildings are articulated to reflect the smaller-scale adjacent neighbourhoods.
- 9 Active at-grade uses (i.e. retail) support active streets and provide local amenities.
- 10 Building stepbacks create a human-scale podium and mitigate shadows on the park.
- 11 Active uses wrap the corner and provide 'spill-out' opportunities on the park.



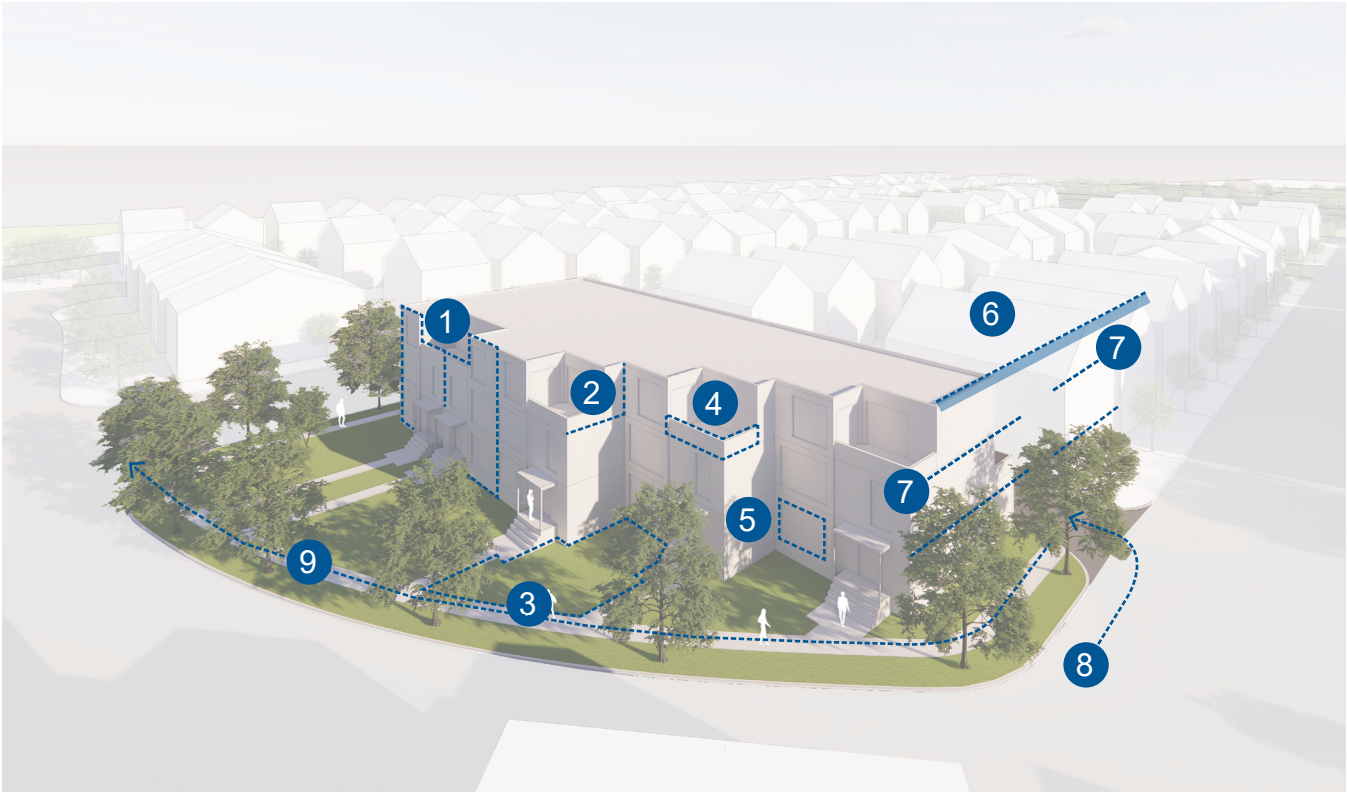
6.2 Site # 2: Gateway Site on a Commercial Street



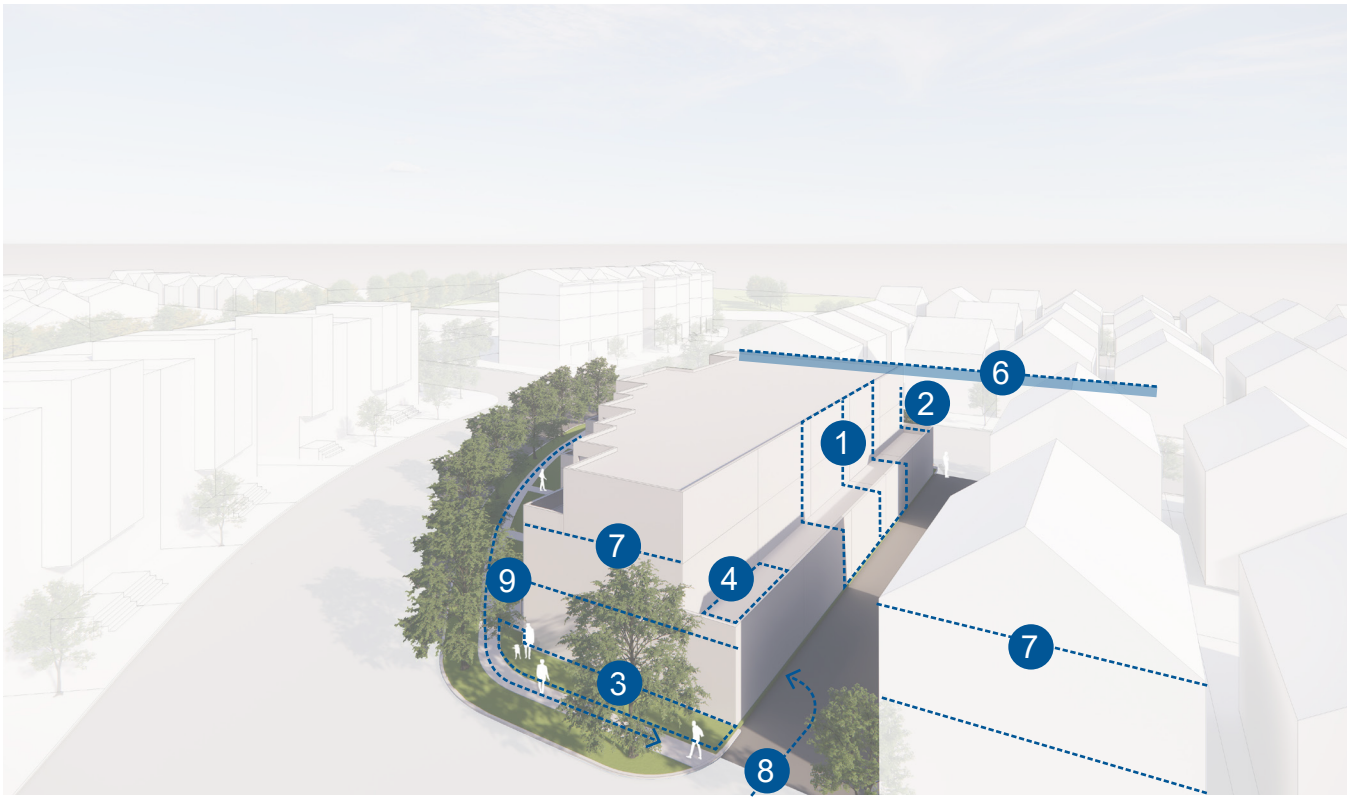
- 1 Building height frames the street and reflects the established low-rise context.
- 2 Articulation and unique building forms reinforce the important gateway location.
- 3 Smaller building units reflect the tight-knit fabric that characterizes the street.
- 4 Residential uses above grade provide opportunities for 'eyes on the street.'
- 5 Building height creates a continuous, human-scaled streetscape.
- 6 Wide sidewalks accommodate active, at-grade uses with 'spill out' amenities.
- 7 Parking, servicing and loading located at the rear of buildings where it is not visible.
- 8 Continuous weather-protection provided at the building edge.
- 9 Well-spaced buildings promote permeable block and pedestrian mews.
- 10 New buildings reinforce the streetwall established by existing buildings.
- 11 Trees and landscaping provide a buffer between surface parking and adjacent uses.



6.3 Site # 3: Residential Infill Site



- 1 Well-articulated townhouse units reflect the scale of the adjacent neighbourhood.
- 2 Stepbacks and/or articulation of the upper floors reinforce a human-scale at grade.
- 3 Front- and side-yard setbacks provide amenity space and landscaping areas.
- 4 Upper-storey terraces allow for outdoor amenity space for residents.
- 5 Large front windows with active internal uses create 'eyes on the street.'
- 6 Townhouse height reflects the adjacent residential neighbourhood.
- 7 Townhouse units reflect established datum lines (i.e. floor height, windows, porches).
- 8 Rear-yard garage access to minimize the visual impact of vehicles.
- 9 Rear-yard parking allows for a continuous sidewalk with no curb-cuts.



7.0

Guideline Implementation

7.1 Overview

The success of the Urban Design Guidelines in shaping and informing new development will be dependent on the integration of the Guidelines as a key part of the development approvals process.

To ensure seamless implementation, it is recommended that the Town take the following steps.



Stepbacks at upper storeys help to provide transitions to adjacent existing lower buildings.

Step 1: Assign Ownership

The Urban Design Guidelines are not intended to be static. As development approaches change and evolve, so too should the Guidelines. It is anticipated that as the Guidelines are implemented, and used in the review and evaluation of development proposals, specific recommendations may emerge as problematic for Town Staff, the development community, and/or the public. Similarly, a number of the recommendations that follow may lead to future updates and amendments to the Guidelines.

It is recommended that the Town assign responsibility of the Guidelines to a senior-level person (or persons) in the Planning Department. This person would be responsible for receiving, compiling and analyzing feedback received on the Guidelines leading up to the recommended five-year update (see Step 6).

Step 2: Staff Awareness and Education

As the Urban Design Guidelines represent best practices in urban design and placemaking, it is anticipated that Planning and Building Services Staff will generally support and promote their implementation. However, while focused on building and site design, the Urban Design Guidelines provide broad-ranging recommendations that may have impacts on a number of Town departments, including, but not limited to, Engineering Services, Public Works Services, Recreation and Culture, Economic Development and Legal Services.

The success of the Guidelines depend on their full support by Town Staff. Therefore, it is recommended that an information session(s) be held with all relevant Town departments prior to the use of the Guidelines for evaluation purposes. These sessions should be used to introduce the Guidelines, outline the Design Objectives, and encourage a commitment to the Guidelines amongst all Town Staff.

As part of these session(s), Town Staff are encouraged to track their involvement with the Guidelines (if any) throughout the year. Most importantly, staff should be encouraged to track any instances where the Guidelines have resulted in unintentional difficulties on their projects and processes.

Step 3: Peer Review/Staff Training

Upon Council approval and subsequent adoption of the Guidelines, and as identified in RFP 2019-056, Planning Services Staff should work closely with the authors of this report to review and evaluate development proposals through a formal Peer Review process. This will allow Planning Staff to work closely with the Peer Reviewers to become familiar with how the Guidelines should be interpreted and applied. Specifically, as an education and training mechanism, this process should focus on empowering Planning Staff to interpret the Guidelines as a flexible and nuanced tool rather than required provisions. Through these Peer Reviews, it is anticipated that members of the Planning Department will become comfortable interpreting 'design intent' when a development does not fully conform to the Guidelines.

It is recommended that this Peer Review process continue for a minimum of three years as this will allow a variety of project scopes and contexts to be considered.

Step 4: Developer Education Package

Through recent policy amendments, the Town of Newmarket has made significant strides in prioritizing urban design and placemaking. It is anticipated that the Urban Design Guidelines will further solidify the Town's commitment to ensuring that all new development promotes the highest quality of urban design. For the development community, this will likely represent a departure from their standard approach to development.

It is recommended that the Town prepare a Developer Education Package that provides an overview of the Guidelines, outlines how they should be used during the design stage, and the role that they will have in the evaluation process (including the Peer Review process in Step 3).

As part of this package, contact information for the staff persons identified in Step 1 should be provided, as well as a process for providing feedback on the Guidelines and the broader development review process.

Step 5: Urban Design Awards

As new developments are approved and constructed under the Urban Design Guidelines, the Town should consider hosting regular (i.e. bi-annual) Urban Design Awards to celebrate projects that exemplify the Design Objectives of the Guidelines and enhance urban design and placemaking across the Town.

For developers and their design teams, Urban Design Awards provide projects with greater recognition and enhanced marketability. For the public, Urban Design Awards help to promote awareness of the importance of good urban design in creating vibrant, attractive and sustainable developments in Newmarket.



Consistent, but varied, materials help to create an attractive streetscape.

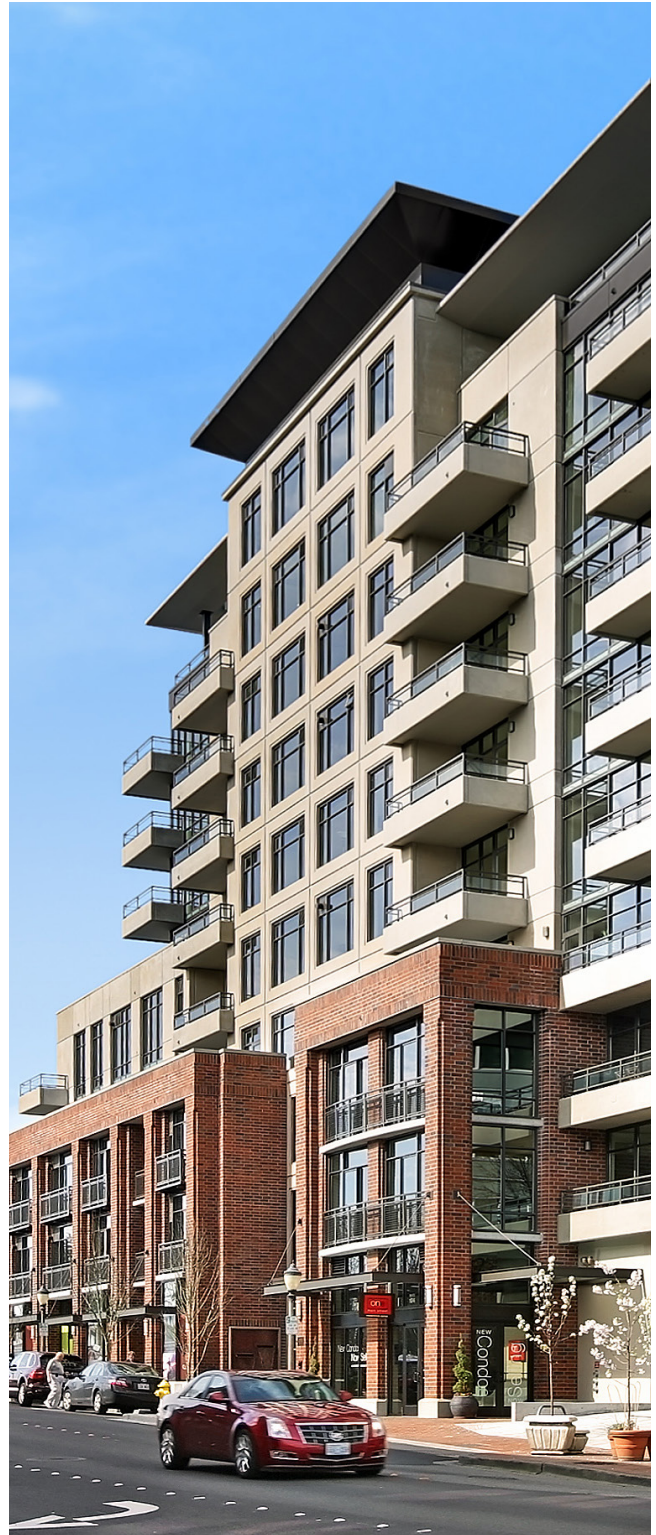
Step 6: Review, Updates and Amendments

As the Guidelines are applied through the Peer Review process, and as ongoing feedback is received from Town Staff, the development community and the public, it is anticipated that specific guidelines may need to be revised to resolve ongoing issues and/or to identify guidelines that are not performing as intended.

Most issues are likely to be submitted directly to Town Staff (see Step 1). However, to ensure that issues are not a one-off instance, they should not be addressed immediately but rather compiled and subject to a thorough review/analysis at a regular interval (i.e. every five years).

At the commencement of the three-year Peer Review process, it is recommended that the Town commission a memorandum from the Peer Reviewers to summarize their experience with the Guidelines, and to outline specific guidelines/directions that proved problematic throughout their review period. This feedback will form a significant component of the initial five-year review and update to the Guidelines.

Similarly, it is recommended that any policy and/or process amendments resulting from the Guidelines be subject to a detailed review and analysis as part of this regular five-year review process.



A clearly defined podium frames the street and helps to create a pedestrian-scaled public realm.



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Ontario Ministry of the Environment, Conservation and Parks NPC-300 Guideline 17645 Yonge Street Staff Report to Council

Report Number: 2021-54

Department(s): Planning and Building Services

Author(s): Meghan White

Meeting Date: August 23, 2021

Recommendations

1. That the report entitled Ontario Ministry of the Environment, Conservation and Parks NPC-300 Guideline – 17645 Yonge St dated August 23 2021 be received; and,
2. That the designation of 17645 Yonge St to a Class 4 Noise Area be approved; and,
3. That Council approve the By-law, substantially in accordance with Attachment 1, authorizing the designation; and,
4. That Redwood Properties, 330 New Huntington Rd, Suite 201, Vaughan ON L4H 4C9, be notified of this action; and,
5. That Groundswell Urban Planners Inc. 30 West Beaver Creek Rd Unit 109, Richmond Hill ON L4B 3K1, be notified of this action; and,
6. That the owners of 17725 Yonge Street and their tenant, Food Basics, be notified of this action; and
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

Purpose of this report is to recommend the classification of 17645 Yonge Street as a Class 4 Area to acknowledge the existing surrounding noise sources.

Background

As Council is aware, there is a development proposal for three buildings on the subject lands (17645 Yonge Street). The development proposal has been in progress since approximately 2012, and it has been through several Planning Act applications, with two different owners, and it is now nearing the end of the site plan approval; it is now in the detailed design phase. A thorough review of noise levels has been undertaken by the Town's Consulting Engineer R.J. Burnside & Associates (RJB).

The Ontario Ministry of the Environment, Conservation and Parks (MECP) provides guidance to what is acceptable noise levels for developments. Typically, when new residential units are proposed, the applicant must demonstrate that the noise levels at the residences are within acceptable levels in accordance with the MECP Noise Guideline.

In 2013, the MECP released a new guideline Publication NPC-300, "Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning (NPC-300)". As infill developments have become more prevalent in the province, there is an acknowledgment that the previous guideline has not provided adequate consideration for infill development and at times there are situations where external noise cannot be fully mitigated to the standards accepted in greenfield developments due to existing surrounding uses.

One of the significant changes of the new guideline was the introduction of a new area classification designated as Class 4 Area. Area classification is based on the acoustic environment typical for the specific area; whether it be urban area (Class 1 Area), rural area (Class 3 Area), or a mixture of both (Class 2 Area). Class 4 Area intends to capture new developments in close proximity to existing commercial/industrial operations. NPC-300 clearly defines the requirement for the introduced new Class 4 Area. An area can be designated as Class 4 Area by the land use planning authority if following conditions are satisfied:

- an area otherwise would be defined as Class 1 or 2 Area,
- an area is intended for development with new noise sensitive receptors that are not yet built,
- areas with existing noise sensitive land use cannot be reclassified,
- an area with existing noise sensitive land uses is replaced, redeveloped or rebuilt, and,
- an area is in proximity to existing, lawfully established stationary sources.

NPC-300 permits less stringent noise criteria for Class 4 Areas. Typically for Class 1 to 3 Areas, acceptable sound levels at the residence assumes the windows to be opened, while the limits for a Class 4 Area assumes the windows to be closed; therefore, the level of acceptable noise from surrounding uses can be higher.

Classifying an area as Class 4 is generally achieved through formal confirmation from the land use planning authority (i.e., Council) during the planning process. Examples of such confirmation could include:

- Official Plan Designation/Amendment,
- Section 37 Agreement under Planning Act, or
- Zoning by-law provision.

Discussion

For this case specifically, the applicant attempted to work with the established adjacent commercial use to mitigate noise from their mechanical units located on the roof; however, that work was not successful and it was determined that designating the property as a Class 4 Noise Area was the best approach.

In this instance, staff are bringing forward a separate report and by-law outside the processes mentioned in the previous section, as the decision to proceed with the re-classification was made after the other processes had been completed.

The proposal meets the conditions required by the Ministry as follows:

1. An area otherwise would be defined as Class 1 or 2 Area:

This property is typically considered a Class 1 Area as it is in an urban area.

2. An area is intended for development with new noise sensitive receptors that are not yet built:

The residential units have not yet been constructed and the Official Plan and Zoning By-law allow for residential development.

3. Areas with existing noise sensitive land use cannot be reclassified:

There are currently no residential units, or other sensitive land uses on the property.

4. An area with existing noise sensitive land uses is replaced, redeveloped or rebuilt:

This condition is not applicable as the proposal is not replacing, redeveloping or rebuilding existing noise sensitive land uses.

5. An area is in proximity to existing, lawfully established stationary sources:

The established stationary sources, the mechanical equipment from the plaza to the north, are lawfully established in that they are permitted uses under the Zoning By-law.

To further ensure that future residents are aware of the possible noise exceedance by pre-existing conditions and to mitigate it as much as possible the Site Plan Agreement will include clauses that will address: physical mitigation measures to limit the amount of noise transfer, adherence to the Ministry's requirements to contact the surrounding emitters, proof from an acoustical consultant that the appropriate measures have been installed, and that all Purchase and Sale Agreements or Lease Agreements have warning clauses about potential noise annoyances and excesses.

Conclusion

In conclusion, it is advisable to designate the property, 17645 Yonge Street, as a Class 4 Area to allow for less stringent noise criteria on the subject property as deemed appropriate in accordance with the MECP Guideline NPC-300. The applicant will be held to account for providing physical mitigation measures and warning clauses to purchasers through wording in the Site Plan Agreement.

Business Plan and Strategic Plan Linkages

Vibrancy on Yonge and Mulock.

Consultation

Engineering Services has been consulted.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

1. Draft By-law authorizing the re-designation.

Approval

Adrian Cammaert, Manager Planning Services

Jason Unger, Director Planning & Building Services

Contact

Meghan White, Senior Planner, Development mwhite@newmarket.ca



Corporation of the Town of Newmarket

By-law 2021-XX

A By-law to designate 17645 Yonge Street as a Class 4 Area under the Ontario Ministry of the Environment, Conservation and Parks “Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning (NPC-300)”.

Whereas Council can authorize that a property can be designated a Class 4 Area in order to acknowledge external noise cannot be fully mitigated for infill developments in urban areas;

And whereas all of the conditions of the NPC-300 Guideline have been met;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That 17645 Yonge Street is authorized to be classified as a Class 4 Area under the Ontario Ministry of the Environment, Conservation and Parks “Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning (NPC-300)”

Enacted this 30th day of August, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Q2 of 2021 Financial Update Staff Report to Council

Report Number: 2021-53

Department(s): Financial Services

Author(s): Andrea Tang, Deputy Treasurer

Meeting Date: August 23, 2021

Recommendations

1. That the report entitled Q2 of 2021 Financial Update be received; and,
2. That \$120,000 be added to 2021 capital project "Stormwater Management Clean Outs/Retrofits Cleaning Program to be funded from the Stormwater reserve, revising the approved budget from \$450,000 to \$570,000; and
3. That Council approve reallocation of 2021 capital programs totaling \$1,724,000 based on revised project delivery timelines as outlined in the report, of which \$1,614,000 will be reallocated as part of the 2022 capital program; and,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of the report is to:

- provide an update on the year-to-date second quarter financial results;
- provide year-end forecasts; and
- obtain Council approval on changes to the 2021 capital program; and

Background

Council approved the 2021 budget totaling \$174.7 million in December 2020 and breakdown of the budget are as follows:

1. tax-supported operating budget \$89.8 million

2. rate-supported operating budget \$47.0 million
3. capital budget \$37.9 million

Subsequently, Council approved additions to the 2021 capital program and capital spending authority bringing the totals to \$42,823,300 and \$44,009,500 respectively.

Discussion

This report outlines the financial results on each budget for the second quarter ending June 30, 2021.

1. Tax-Supported Operating Budget

At the end of the second quarter, revenues were lower by \$2,311,000, and expenditures were lower than budget by \$7,373,000. Prior to any year-end reserve transfers, the tax-supported operating budget incurred a net favourable variance of \$5,062,000.

The net favourable variance includes COVID-19 expenditures of \$2,005,000. The Town received Safe Restart grant of \$769,000 and COVID-19 Recovery Funding for Municipalities Program of \$2,458,000. They have yet to be accounted for against the Q2 COVID-19 expenditures. These grants and contingency budget of \$500,000 will be applied at year-end to offset full-year COVID-19 expenditures pending year-end results. More details are outlined in the information report to Council entitled “COVID-19 Pandemic Financial Impact June 2021 Update”.

Revenues were lower than budget mainly in recreation programs, art and culture programs, ice rentals and fitness programs and memberships due to facility closures impacted by the pandemic. Parking infraction revenues were also lower than budget.

Facility closures also resulted in lower direct program expenditures such as casual wages and supplies. Other temporary favourable variances were incurred due to timing such as street sweeping, road pavement marking, general maintenance, sidewalk maintenance, equipment maintenance & repairs, trail rehabilitation and tree removal program. These programs are forecasted to be fully expended by year-end.

Furthermore, lower than budgeted expenditures were incurred in winter control and any favourable variance at year-end will be transferred to the winter control reserve.

Year-end projection for tax-supported operating budget is currently forecasted to be \$300,000. Major drivers include salary gapping, higher penalty and interest revenues offset by lower bank interest income. Year-end forecast is subject to change as there are many unknowns at this time. Staff will continue to monitor the budget and adjust the year-end forecast if required.

As outlined in the report “COVID-19 Pandemic Financial Impact June 2021 Update”, mitigating measures such as deferral of playground equipment replacement and partial deferral of tree removal and planting to offset financial impact from the pandemic.

Central York Fire Services (CYFS)

CYFS incurred a net favourable variance of \$1.12 million mainly due to salary gapping, consulting and wellness program being on hold. It is anticipated that there will be a surplus at year-end. The year-end surplus will be transferred to reserve as part of the strategy to fund Station 4-5.

A report on second quarter results will be tabled to Joint Council Committee (JCC) on September 7.

Newmarket Public Library

At the end of June 30, Library incurred a temporary nominal unfavourable variance. Library anticipates to be on budget by year-end.

2. Rate-Supported Operating Budget

Water and Wastewater

At the end of the second quarter, water and wastewater incurred a net favourable variance of \$1.87 million. Region did not increase their rates for the second consecutive year which contributed to the favourable variance. As well, lower than budgeted expenditures were incurred in cathodic protection program, pipe relining, emergency maintenance and general maintenance due to timing.

Region is currently conducting a water and wastewater rate study. Outcome from the study is anticipated to be tabled to the Region Council in October 2021.

At this time, there is no indication that the water and wastewater operating budgets will not be achieved as planned.

Stormwater

Stormwater incurred a favourable variance of \$0.33 million mainly due to temporary lower expenditures in stormwater management maintenance and catchbasin cleaning. Staff anticipates the budget will be fully expended by year-end.

Stormwater fees were billed in July that will be reflected in the Q3 Financial Update report to be tabled in November.

3. Capital Budget

Subsequent to Council approval of the 2021 Capital program of \$36,268,500 and capital spending authority of \$37,900,000 in December 2020, changes were made as outlined in the following reports which resulted in the revised capital program at \$42,823,300 and capital spending authority at \$44,009,500:

- Q4 2020 Financial Update – continuation of 2020 capital projects in 2021

- Q1 2021 Financial Update – addition of Ray Twinney outdoor rink (design)
- Mulock Park Budget – 2021 allocation of the project at \$2,000,000

Total capital expenditures at the end of June 30, 2021 was \$5,163,500, representing 12.1% of the revised capital program. Staff evaluated project delivery timelines and identified \$1,614,000 to be reallocated and will be included as part of the 2022 capital budget program. Remaining capital programs are projected to be completed by year-end.

| Capital Program | 2021 Budget | Proposed Q2 changes | 2021 Revised Budget | To be included in 2022 Budget |
|--|-------------------------|---------------------------|-------------------------|-------------------------------|
| <i>Reallocations - based on revised capital project delivery timeline</i> | | | | |
| 3220002 - Active Transportation Plan | 175,000 | - 175,000 | - | 175,000 |
| 3220003 - HarryWalker Pkwy East Sidewalk | 100,000 | - 99,000 | 1,000 | 99,000 |
| 3299002 Fleet Replacements | 1,540,000 | - 140,000 | 1,400,000 | 140,000 |
| 3299004 Bridges and Culverts Program | 500,000 | - 420,000 | 80,000 | 420,000 |
| 5219021 - Recreation Playbook Impl. | 2,450,000 | - 500,000 | 1,950,000 | 500,000 |
| 5219043 - Trail Lighting at Parks | 280,000 | - 280,000 | - | 280,000 |
| 5221001 Fairy Lake Boardwalk Design | 110,000 | - 110,000 | - | - |
| <i>Subtotal</i> | <i>5,155,000</i> | <i>- 1,724,000</i> | <i>3,431,000</i> | <i>1,614,000</i> |
| <i>Additions</i> | | | | |
| 4019016 - SWM Pond Clean Outs/Retrofits | 450,000 | 120,000 | 570,000 | - |
| <i>Subtotal</i> | <i>450,000</i> | <i>120,000</i> | <i>570,000</i> | <i>-</i> |
| Total | 5,605,000 | - 1,604,000 | 4,001,000 | 1,614,000 |

The changes above do not impact the revised capital spending authority and will remain at \$44,009,500.

Conclusion

Staff will continue to monitor the budgets and report Q3 financial results in November. Any change to the year-end forecasts will also be identified in the Q3 financial update report.

Deferral of \$1,614,000 in capital programs will be included as part of the 2022 capital program.

Business Plan and Strategic Plan Linkages

This report supports the Council priority under the strategic pillar of Long Term Financial Sustainability. To align with the Fiscal Strategy recommendation, Q2 investment results are reported under the information report “2021 Q2 Investment Summary”.

Consultation

Operational Leadership Team (OLT) and Strategic Leadership Team (SLT) were consulted on operating budgets and changes to the 2021 capital program based on revised project delivery timelines.

Human Resource Considerations

Not applicable.

Budget Impact

As outlined in this report, 2021 capital programs that will not be delivered by end of 2021 as outlined in the report will be allocated as part of the 2022 capital program.

Attachments

Appendix 1 – 2021 Q2 Operating Results

Appendix 2 – 2021 Q2 Water, Wastewater and Stormwater Operating Results

Appendix 3 – 2021 Q2 Capital Expenditures

Approval

Mike Mayes, CPA, CGA, DPA

Director of Financial Services

Esther Armchuk, LL.B

Commissioner, Corporate Services

Contact

Andrea Tang, CPA, CA

Manager, Finance & Accounting / Deputy Treasurer, atang@newmarket.ca (ext. 2104)

Town of Newmarket
2021 Second Quarter
OPERATING RESULTS

| Departments | Year-to-Date to June 30, 2021 | | | Full Year |
|---|-------------------------------|---------------------|--------------------|---------------------|
| | ACTUAL | BUDGET | VARIANCE | Budget |
| | \$ | \$ | \$ | \$ |
| <u>Members of Council</u> | | | | |
| Revenues | - | - | - | - |
| Expenditures | 602,688 | 640,961 | 38,273 | 1,286,948 |
| Net surplus/(deficit) | (602,688) | (640,961) | 38,273 | (1,286,948) |
| <u>C.A.O. - Office</u> | | | | |
| Revenues | - | 142,260 | (142,260) | 284,520 |
| Expenditures | 1,722,285 | 2,241,948 | 519,663 | 3,471,480 |
| Net surplus/(deficit) | (1,722,285) | (2,099,688) | 377,403 | (3,186,960) |
| <u>Corporate Services</u> | | | | |
| Revenues | 553,316 | 1,091,946 | (538,630) | 2,383,899 |
| Expenditures (note 1) | 6,410,054 | 7,208,878 | 798,824 | 14,417,754 |
| Net surplus/(deficit) | (5,856,738) | (6,116,932) | 260,194 | (12,033,855) |
| <u>Central York Fire Services</u> | | | | |
| Revenues | 143,015 | 229,750 | (86,735) | 459,503 |
| Expenditures | 6,217,018 | 7,425,492 | 1,208,473 | 16,057,910 |
| Net surplus/(deficit) | (6,074,003) | (7,195,742) | 1,121,739 | (15,598,407) |
| <u>Community Services</u> | | | | |
| Revenues | 1,935,791 | 3,294,016 | (1,358,225) | 7,950,135 |
| Expenditures | 3,363,643 | 5,260,044 | 1,896,401 | 11,533,371 |
| Net surplus/(deficit) | (1,427,851) | (1,966,028) | 538,177 | (3,583,236) |
| <u>Development & Infra. Services</u> | | | | |
| Revenues | 2,843,026 | 3,176,100 | (333,074) | 6,318,590 |
| Expenditures | 13,004,780 | 18,103,266 | 5,098,486 | 35,832,386 |
| Net surplus/(deficit) | (10,161,754) | (14,927,166) | 4,765,412 | (29,513,796) |
| <u>Library Services</u> | | | | |
| Revenues | 2,829 | 69,534 | (66,705) | 203,473 |
| Expenditures | 1,786,053 | 1,845,448 | 59,395 | 3,690,895 |
| Net surplus/(deficit) | (1,783,224) | (1,775,914) | (7,310) | (3,487,422) |
| <u>General Government</u> | | | | |
| Revenues | 2,085,138 | 1,736,800 | 348,338 | 4,809,600 |
| Expenditures | 2,341,851 | 2,185,056 | (156,795) | 4,082,113 |
| Net surplus/(deficit) | (256,713) | (448,256) | 191,543 | 727,487 |
| <u>Debt Servicing</u> | | | | |
| Revenues | 1,077,029 | 1,210,377 | (133,348) | 2,420,745 |
| Expenditures | 2,674,188 | 2,589,407 | (84,781) | 5,178,801 |
| Net surplus/(deficit) | (1,597,159) | (1,379,030) | (218,129) | (2,758,056) |
| <u>Property Taxes</u> | | | | |
| Revenues | 59,996,778 | 59,996,778 | (0) | 67,968,845 |
| Expenditures | - | - | - | - |
| Net surplus/(deficit) | 59,996,778 | 59,996,778 | (0) | 67,968,845 |
| <u>COVID-19</u> | | | | |
| Revenues | - | - | - | - |
| Expenditures | 2,005,347 | - | (2,005,347) | - |
| Net surplus/(deficit) | (2,005,347) | - | (2,005,347) | - |
| <u>Allocations</u> | | | | |
| Revenues | - | - | - | - |
| Expenditures | (1,376,186) | (1,376,186) | 0 | (2,752,348) |
| Net surplus/(deficit) | 1,376,186 | 1,376,186 | 0 | 2,752,348 |
| <u>GRAND-TOTAL</u> | | | | |
| Revenues | 68,636,923 | 70,947,561 | (2,310,638) | 92,799,310 |
| Expenditures | 38,751,720 | 46,124,314 | 7,372,593 | 92,799,310 |
| Net surplus/(deficit) | 29,885,202 | 24,823,247 | 5,061,955 | - |

Town of Newmarket

2021 Second Quarter

Water, Wastewater & Stormwater Operating Results

| Area | Year-to-date (June 30, 2021) | | | | Full Year Budget |
|---|------------------------------|-------------|-----------|---------|------------------|
| | Actual | Budget | Variance | | |
| | \$ | \$ | \$ | % | |
| | | | | | |
| <u>Water Rate Group</u> | | | | | |
| Revenues | 9,839,485 | 9,730,599 | 108,886 | 1.1% | 19,646,000 |
| Expenditures | 7,691,066 | 8,890,529 | 1,199,463 | 13.5% | 18,211,427 |
| Net | 2,148,418 | 840,070 | 1,308,348 | 60.9% | 1,434,573 |
| | | | | | |
| <u>Wastewater Rate Group</u> | | | | | |
| Revenues | 10,964,299 | 10,976,299 | (12,000) | -0.1% | 22,164,000 |
| Expenditures | 9,805,284 | 10,385,314 | 580,030 | 5.6% | 20,990,633 |
| Net | 1,159,015 | 590,985 | 568,030 | 96.1% | 1,173,367 |
| | | | | | |
| <u>Storm Water Rate Group</u> | | | | | |
| Revenues | - | - | - | 0.0% | 2,410,960 |
| Expenditures | 791,052 | 1,124,357 | 333,306 | 29.6% | 2,173,708 |
| Net | (791,052) | (1,124,357) | 333,306 | -29.6% | 237,252 |
| | | | | | |
| <u>Allocations</u> | | | | | |
| Revenues | - | - | - | 0.0% | - |
| Expenditures | 1,331,624 | 1,331,624 | (0) | 0.0% | 2,663,256 |
| Net | (1,331,624) | (1,331,624) | (0) | 0.0% | (2,663,256) |
| | | | | | |
| <u>Transfer To/ From Rate Stabilization Reserves</u> | | | | | |
| Revenues | - | - | - | 0.0% | - |
| Expenditures | - | 90,968 | 90,968 | 100.0% | 181,936 |
| Net | - | (90,968) | 90,968 | 0.0% | (181,936) |
| | | | | | |
| | | | | | |
| <u>GRAND-TOTAL</u> | | | | | |
| Revenues | 20,803,784 | 20,706,898 | 96,886 | 0.5% | 44,220,960 |
| Expenditures | 19,619,026 | 21,822,792 | 2,203,766 | 10.1% | 44,220,960 |
| Net | 1,184,758 | (1,115,894) | 2,300,652 | -206.2% | - |

Town of Newmarket

2021 Second Quarter

CAPITAL EXPENDITURES

| Commission / Department / Area | Year-to-Date Actual (June 30, 2021) (\$) | Budget 2021 (\$) | % of Spending |
|---|---|--------------------|------------------|
| <u>General Government</u> | | | |
| | - | 115,000 | 0.0% |
| Total | - | 115,000 | 0.0% |
| <u>Corporate Services</u> | | | |
| Information Technology | 23,816 | 920,749 | 2.6% |
| Legislative Services | - | 61,200 | 0.0% |
| Total | 23,816 | 981,949 | 2.4% |
| <u>Community Services</u> | | | |
| Recreation & Culture Services | - | 60,000 | 0.0% |
| Total | - | 60,000 | 0.0% |
| <u>Development & Infrastructure Services</u> | | | |
| Planning & Building | 179,427 | 613,000 | 29.3% |
| Roads | 722,241 | 9,054,000 | 8.0% |
| Water | 575,159 | 9,418,903 | 6.1% |
| Wastewater | - | - | 0.0% |
| Storm Water | 3,219 | 510,000 | 0.6% |
| Facilities | 463,182 | 1,816,000 | 25.5% |
| Parks | 697,683 | 7,445,020 | 9.4% |
| Trails | 100 | 390,000 | 0.0% |
| Asset Mgmt | - | 340,400 | 0.0% |
| Other | - | 45,000 | 0.0% |
| Total | 2,641,011 | 29,632,323 | 8.9% |
| <u>Library Services</u> | | | |
| | - | 225,500 | 0.0% |
| Total | - | 225,500 | 0.0% |
| <u>Central York Fire Services</u> | | | |
| | 2,498,741 | 13,452,528 | 18.6% |
| Total | 2,498,741 | 13,452,528 | 18.6% |
| Q2 changes - reallocation | - | (1,644,000) | 0.0% |
| GRAND TOTAL | 5,163,568 | 42,823,300 | 12.1% |

SUMMARY

| | | | |
|------------------------|-----------|------------|-------|
| Total Standard Program | 2,213,970 | 18,796,569 | 11.8% |
| Total Major Projects | 2,949,598 | 24,026,731 | 12.3% |
| Total | 5,163,568 | 42,823,300 | 12.1% |



Town of Newmarket
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Newmarket, Ontario, L3Y 4X7

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2022 Meeting Schedules and Restricted Acts in a Municipal Election Year Staff Report to Council

Report Number: 2021-56

Department(s): Legislative Services

Author(s): Jaclyn Grossi, Legislative Coordinator

Meeting Date: August 23, 2021

Recommendations

1. That the report entitled 2022 Meeting Schedules and Restricted Acts in a Municipal Election Year dated August 23, 2021 be received; and,
2. That the 2022 Committee of the Whole and Council Meeting Schedule (**Attachment A**) be adopted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to seek Council's approval of the 2022 Committee of the Whole and Council meetings schedule, and advise how staff schedule Advisory Board and Committee meetings for the fourth quarter of a Municipal election year. Furthermore, this report will outline the restricted acts after Nomination Day in a Municipal election year as provided by Section 275 of the Municipal Act, 2001.

Background

Each year, Council approves a draft schedule of meetings for the upcoming year. There may be occasions when additional special meetings are required, and these meetings will be called on an as needed basis. The Procedure By-law also provides that special meetings may be called by the Mayor or upon receipt of a petition signed by a majority of the Members of Council.

The Council approved [Committee Administration Policy](#), states “during a Municipal election year, meetings shall be cancelled where possible in the last quarter.” This section was specifically introduced in 2015 to assist the Legislative Services Department with managing the limited resources assigned to the administration and execution of the election, and supporting the Town of Newmarket’s Boards, Committees and Taskforces.

Additionally, [Section 275](#) of the Municipal Act, 2001 sets out the two dates for which lame duck provisions may be invoked, being August 19, 2022 (Nomination Day) and October 24, 2022 (Voting Day). If, on either of these dates, it can be determined with certainty that the new Council will include fewer than 75% of the outgoing Council Members (for Newmarket Council, 75% is 7 Members of Council) the restriction period will begin. This restriction period is commonly referred to as the lame duck period.

Discussion

Council is required to adopt a 2022 Meeting Schedule

Attachment 1 outlines the draft meeting schedule for 2022. Variations of the regular schedule include:

- In February, there is a two week gap to accommodate the office closure on Monday, February 21, 2022 for Family Day;
- A Council meeting is scheduled for Tuesday, April 19, 2022 to accommodate the office closure on Monday, April 18, 2022 for Easter Monday;
- In May, there is a two week gap to accommodate the office closure on Monday, May 23, 2022 for Victoria Day;
- A Council meeting has been scheduled for Monday, November 7, 2022 for the recognition of Council members from the 2018-2022 term;
- The regular Committee of Whole/Council cycle will end in September with Voting Day scheduled for Monday, October 24, 2022; and,
- The Inaugural Council Meeting will be held on Tuesday, November 15, 2022.
- Monday, November 21, 2022 and Monday, November 28, 2022 have been reserved for Council Orientation sessions.

Meeting times should remain the same in 2022 to reduce public confusion

Since June 2020, Committee of the Whole and Council meetings have been held at 1:00 PM, Statutory Public Planning meetings have been included as the first item on Council meeting agendas, and Site Plan Review Committee meetings have been held at 9:30 AM on the same day as Council meetings (when required).

Staff recommends that the meeting times remain unchanged for Committee of the Whole, Council and Site Plan Review Committee, and that Statutory Public Planning meetings continue to be included as the first item on Council agendas in 2022. These meeting times have allowed staff to ensure that meeting agendas are balanced and that public participation is encouraged. The feedback provided by deputants, external

presenters, staff and Members of Council regarding 1:00 PM meeting start time approach since June 2020 has been very positive and well received.

Legislative Services Staff will continue to consult with the Strategic Leadership and Operational Leadership Teams to determine whether a meeting should begin earlier than 1:00 PM to accommodate a significant number of agenda items for consideration. Any deviations from the regular start time will be communicated to the public via social media, and the local newspaper, whenever possible.

Newmarket's Boards, Committees and Taskforces will Operate on a Reduced Meeting Schedule between October 1, 2022 and December 31, 2022

As outlined above, the Committee Administration Policy allows Advisory Committee meetings to be suspended during the fourth quarter of a Municipal election year. However, these bodies will still be able to meet to consider any matters that are time sensitive and related to statutory requirements, and ensure business continuity during the fourth quarter. As many Committees approve their meeting schedule for the upcoming year, staff will present them with a reduced meeting schedule which will ensure that each Committee is meeting as much as possible prior to the fourth quarter (i.e. the Accessibility Advisory Committee will still meet six times in 2022 by adjusting their meeting frequency earlier in the year).

Council does not have any meetings scheduled for the month of October, and has one meeting in November. Given that the Advisory Boards and Committees report through Council, it is not reasonable for meetings to continue to be held if Council is not meeting.

Staff will continue the recognized best practice of conducting an Advisory Committee review at the end of the 2018-2022 term, and will present a report for consideration by the new term of Council in 2023.

Restricted Act Provisions as Provided by Section 275 of the Municipal Act, 2001

Newmarket Council will be in a lame duck period if, it can be determined with certainty, that 3 Members of the current Council would not be on the new 2022-2026 term of Council.

Staff will monitor the following two timeframes to determine if Council may be restricted in its acts:

- If, on August 19, 2022 (Nomination Day), 3 or more current Members of Council decide not to run for office again for the 2022-2026 Term of Council, then Council would be considered lame duck until the beginning of the new Term of Council (i.e., November 15, 2022).

- If, on October 24, 2022 (Election Day), 3 or more current Members of Council are not re-elected or acclaimed, then Council would be considered lame duck until the beginning of the new Term of Council (i.e., November 15, 2022).

In accordance with subsection 275(3) of the Municipal Act, if Council was in a lame duck situation, Council is restricted in the following acts:

- a) The appointment or removal from office of any officer of the municipality;
- b) The hiring or dismissal of any employee of the municipality;
- c) The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and,
- d) Making any expenditures or incurring any other liability which exceeds \$50,000.

Subsection 275 (4) of the Municipal Act clarifies that (c) and (d) do not apply if these dispositions or expenditures were previously approved in the budget by August 19, 2022 (Nomination Day) and, Subsection 275 (4.1) clarifies that Council may take all necessary and appropriate actions in the event of an emergency.

Additionally, any person or body that exercises authority previously delegated by Council is not prevented from continuing to act during a lame duck period. For example, staff that has specific delegated authority to hire or dismiss employees or incur expenditures or dispose of property, will not be impacted if there is a period of lame duck. This previous authority may be found in individual Council minutes or in the Delegation By-law. This includes any delegations made in conjunction with a declared State of Emergency.

In 2018, Council amended the Delegation By-law to provide delegated authority to staff to ensure that there is continuity in the services provided by the Town. In the event that there is a period of lame duck with Council in 2022, this delegated authority may be used. During a lame duck period, this delegation will not be used to advance matters that are known to be politically sensitive or of significant interest to the public. On those items, staff will seek separate specific authority to act during this period that is particular to each file.

Delegated Authority to the Mayor During a State of Emergency would supersede Lame Duck Provisions

Should the Town of Newmarket be in a Declared State of Emergency in 2022 at Nomination Day or Election Day, the Mayor is not prevented from continuing to act within any previously delegated authority during the restricted act provisions as provided by Subsection 275 (4.1) of the Municipal Act, 2001.

Conclusion

Council determines its calendar of meetings every year, and is required to establish its meeting frequency for 2022. The 2022 schedule of meetings takes into account all

holidays and Municipal election related dates but is subject to change, if additional meetings are required for Council to conduct its business.

Providing Committees with reduced meeting schedules for 2022 to accommodate the suspension of meetings in the fourth quarter of a Municipal election year allows for Legislative Services staff resources to be prioritized accordingly. A meeting will be scheduled to deal with any time sensitive or legislated matters.

The Town Clerk will advise Council if the restricted act provisions provided by Section 275 of the Municipal Act, 2001 come into effect during the Municipal election period; however, with the previously approved delegated authority to staff, the lame duck impact may be minimal.

Business Plan and Strategic Plan Linkages

This report aligns with all six pillars of Council's Strategic Priorities for the 2018-2022 term, as Council's decision points at Committee of the Whole and Council meetings assists in fulfilling the initiatives within each priority for the Town.

Consultation

Staff from Planning and Building Services were consulted as part of this report.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment A - Draft 2022 Committee of the Whole and Council Meeting Schedule

Approval

Lisa Lyons, Director of Legislative Services/Town Clerk

Esther Armchuk, Commissioner of Corporate Services

Peter Noehammer, Commissioner of Development & Infrastructure Services

Ian McDougall, Chief Administrative Officer

Contact

For more information, please contact Jaclyn Grossi at jgrossi@newmarket.ca or 905-953-5300 extension 2207.



Town of Newmarket 2022 Schedule of Meetings

Draft Document Until Approved by Council

Attachment 1 – 2022 Meeting Schedule

| January 2022 | | | | | | |
|---|---|---------|-----------|----------|--------|---------------------|
| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
| | | | | | | 1 New Year's Day |
| 2 | 3 New Year's Day (Observed) Town Offices Closed | 4 | 5 | 6 | 7 | 8 |
| 9 9:30 AM - SPR 1:00 PM – CoW | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 9:30 AM - SPR 1:00 PM – CoW | 31 | | | | | |



Town of Newmarket 2022 Schedule of Meetings

Draft Document Until Approved by Council

Attachment 1 – 2022 Meeting Schedule

February 2022

| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
|-----|---|---------|-----------|----------|--------|-----|
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 Family Day Town Offices Closed | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 9:30 AM - SPR 1:00 PM – CoW | | | | | |



Town of Newmarket 2022 Schedule of Meetings

Attachment 1 – 2022 Meeting Schedule

Draft Document Until Approved by Council

| March 2022 | | | | | | |
|------------|--|-------------------|-------------------|-------------------|-------------------|-----|
| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 March Break | 15 March Break | 16 March Break | 17 March Break | 18 March Break | 19 |
| 20 | 21 9:30 AM - SPR 1:00 PM – CoW | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 29 | 30 | 31 | | |



Town of Newmarket 2022 Schedule of Meetings

Draft Document Until Approved by Council

Attachment 1 – 2022 Meeting Schedule

| April 2022 | | | | | | |
|------------|---|--|-----------|----------|---|-----|
| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 9:30 AM - SPR 1:00 PM – CoW | 12 | 13 | 14 | 15 Good Friday Town Offices Closed | 16 |
| 17 | 18 Easter Monday Town Offices Closed | 19 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 18 | 29 | 30 |

| May 2022 | | | | | | |
|----------|---|---------|-----------|----------|--------|-----|
| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
| 1 | 2 9:30 AM - SPR 1:00 PM – CoW | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 Victoria Day Town Offices Closed | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 9:30 AM - SPR 1:00 PM – CoW | 31 | | | | |



Town of Newmarket 2022 Schedule of Meetings

Draft Document Until Approved by Council

Attachment 1 – 2022 Meeting Schedule

| June 2022 | | | | | | |
|-----------|--|---------|-----------|---|----------|----------|
| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
| | | | 1 | 2 Federation of Canadian Municipalities (FCM) Conference | 3 FCM | 4 FCM |
| 5 FCM | 6 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 9:30 AM - SPR 1:00 PM – CoW | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 28 | 29 | 30 | | |



Town of Newmarket 2022 Schedule of Meetings

Draft Document Until Approved by Council

Attachment 1 – 2022 Meeting Schedule

| July 2022 | | | | | | |
|-----------|--------|---------|-----------|----------|--|-----|
| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
| | | | | | 1 Canada Day Town Offices Closed | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | | | | | | |

| August 2022 | | | | | | |
|-------------|--|-----------|-----------|----------|--------|-----|
| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
| | 1 Civic Holiday Town Offices Closed | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 AMO | 15 Association of Municipalities of Ontario (AMO) Conference | 16 AMO | 17 AMO | 18 | 19 | 20 |
| 21 | 22 9:30 AM - SPR 1:00 PM – CoW | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 30 | 31 | | | |



Town of Newmarket 2022 Schedule of Meetings

Draft Document Until Approved by Council

Attachment 1 – 2022 Meeting Schedule

September 2022

| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
|-----|--|---------|-----------|----------|--------|-----|
| | | | | 1 | 2 | 3 |
| 4 | 5 Labour Day Town Offices Closed | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 9:30 AM - SPR 1:00 PM – CoW | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | |



Town of Newmarket 2022 Schedule of Meetings

Draft Document Until Approved by Council

Attachment 1 – 2022 Meeting Schedule

| October 2022 | | | | | | |
|--------------|---|---------|-----------|----------|--------|-----|
| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 Thanksgiving Day Town Offices Closed | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 Voting Day | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 | | | | | |



Town of Newmarket 2022 Schedule of Meetings

Attachment 1 – 2022 Meeting Schedule

Draft Document Until Approved by Council

November 2022

| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
|-----|--|--|-----------|----------|--------|-----|
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 1:00 PM – CL | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 1:00 PM - Inaugural Council Meeting | 16 | 17 | 18 | 19 |
| 20 | 21 TBD - Council Orientation (tentative) | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 TBD - Council Orientation (tentative) | 29 | 30 | | | |

| December 2022 | | | | | | |
|----------------------------|--|---------------------------|------------------|------------------|------------------|----------------------------|
| Sun | Monday | Tuesday | Wednesday | Thursday | Friday | Sat |
| | | | | 1 | 2 | 3 |
| 4 | 5 9:30 AM - SPR 1:00 PM – CoW | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 1:00 PM – (CL) Public Hearing Matter(s) with regular CL items immediately following | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 Christ mas Eve |
| 25 Chris tmas Day | 26 Boxing Day Town Offices Closed | 27 Town Offices Closed | 28 Soft Close | 29 Soft Close | 30 Soft Close | 31 |



Town of Newmarket
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Hybrid Meeting Policy Staff Report to Council

Report Number: 2021-58

Department(s): Legislative Services

Author(s): Andrew Walkom, Legislative Coordinator

Meeting Date: August 23, 2021

Recommendations

1. That the report entitled Hybrid Meeting Policy dated August 23, 2021 be received; and,
2. That Council approve the Hybrid Meeting Policy attached as **Attachment 1** and rescind the Electronic Participation in Meetings Policy; and,
3. That the proposed amendment to the Town of Newmarket's Procedure By-law 2020-12 to permit electronic participation after December 31, 2021 as outlined in **Attachment 2** of this report be approved; and,
4. That the Town Clerk be authorized to administer the Hybrid Meeting Policy and develop the necessary Procedures to implement the Policy, as required; and,
5. That staff be directed to report back to Council in 2023 with a review of the Hybrid Meeting Policy, as part of the Procedure By-law Review; and,
6. That beginning with the Committee of the Whole meeting of October 25, 2021 or as determined by the Mayor and Chief Administrative Officer, staff be directed to facilitate meetings in a hybrid manner with in-person and remote Members of Council, Staff and the public; and,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

This report outlines the development of a draft Hybrid Meeting Policy for the Town of Newmarket, by examining the principles which make the foundation of effective hybrid meetings and the experience of Newmarket Council throughout the pandemic. The

report provides an overview of the benefits of allowing remote participants to join a hybrid meeting, such as improving the accessibility of meetings and increasing attendance. Finally, the report outlines the proposed approach for Council members to resume in-person attendance in Council Chambers in the transition to hybrid meetings.

Purpose

The purpose of this report is to seek Council's approval for the draft Hybrid Meeting Policy, to permit electronic participation through hybrid meetings.

Background

Newmarket Council has been meeting remotely through electronic meetings since April 27, 2020 due to the COVID-19 pandemic. On July 21, 2020, the COVID-19 Economic Recovery Act, 2020 ("Bill 197") received Royal Assent, which allowed for municipalities to continue to meet electronically with no requirement for a state of emergency. Newmarket Council updated the Procedure By-law to allow for continued electronic participation at Council meetings, until December 31, 2021.

As the Province of Ontario's reopening plan under the Roadmap to Reopen continues to progress, the Town of Newmarket has begun to reopen its facilities to the public. The Town will continue to follow this phased approach in resuming in-person Council and Committee meetings for Councillors, staff and members of the public.

Discussion

Hybrid Meeting Principles

There are a number of principles which have been developed to support effective hybrid meetings throughout the transition from fully electronic meetings during the COVID-19 pandemic to hybrid meetings with participants who join remotely and in-person.

- 1. Meeting participants should be able to participate using multiple methods.**

The ability to participate in a meeting through multiple methods, such as by attending Council Chambers in-person or by joining remotely, is the key to effective hybrid meetings. The ability for the participant to choose their method of participation is important to ensure that their needs are met, which encourages participation and increases accessibility.

- 2. Meeting participants should have an equitable experience regardless of their method of participation.**

Hybrid meetings will be set up to ensure that participants are treated equitably regardless of which method they use to join. The audiovisual technology will be used to help the in-person and remote options provide as similar an experience as possible for both the participants and members of the public.

3. Meeting participation should be in alignment with prevailing public health guidance.

As the Town transitions through the COVID-19 pandemic period and continues to reopen its facilities, the hybrid meeting approach will allow for the most flexible response to the changing public health guidelines. Hybrid meetings allow for future public health measures to be addressed quickly and responsively.

4. Future changes should be based on best practices.

Hybrid meetings represent a new approach to municipal Council meetings in Ontario. All municipalities have the opportunity to learn from the experience gained throughout the pandemic and develop best practices on hybrid meetings going forward. The hybrid meeting approach will continue to evolve and be reviewed as best practices are developed.

Effectiveness of Electronic Meetings

Council Experience during COVID-19 Pandemic

During the COVID-19 pandemic, Council meetings were held in a fully electronic fashion, due to the public health restrictions prohibiting gatherings. While meetings were held electronically out of necessity, Council was able to continue to conduct its meetings effectively and the advantages of allowing electronic participation during Council meetings became clear. Despite the significant barriers posed by the public health measures, Council meetings continued on a regular schedule with high levels of attendance from Councillors and also high levels of public participation.

As the Town continues to transition out of its COVID-19 pandemic measures, staff recommend the inclusion of electronic participation for meetings going forward, in addition to traditional in-person participation. This 'hybrid' approach will allow for the opportunities presented by electronic participation to be added to the in-person meeting format.

Increased Councillor Attendance due to Flexibility of Participation

Electronic participation allows for Councillors to join the Council meeting, even if they are not able to attend the meeting in-person in Council Chambers. While in-person attendance will remain the most common type of participation for Councillors, the option to join remotely potentially allows for greater attendance. Councillors who may not be able to attend meetings for periods of time due to illness, injury or recovery from surgery, for example, may be able to attend from home and not miss extended periods of meetings. Similarly, Councillors suffering from minor illnesses may attend the meeting if they are feeling well enough, but may stay home to avoid spreading an illness to other people. The COVID-19 pandemic has illustrated the importance of preventing the spread of illness through physical distancing. Electronic participation also allows for Council Members to join meetings from outside of Newmarket, such as during travel.

The flexibility provided by electronic participation allows Councillors to avoid missing meetings due to other commitments. For example, a Councillor who must attend a personal medical appointment during a meeting may have been unable to attend the entire meeting in-person. However, it may be possible for the Councillor to join for the remainder of the meeting through electronic participation. While Councillors are encouraged to avoid scheduling other commitments during meetings, Councillors may be able to attend more meetings that would ordinarily have been missed in their entirety.

Greater Accessibility of Meetings

Electronic participation also allows for greater accessibility for Council meetings. Previous to the pandemic, the ability to use electronic participation was a request from the Newmarket Accessibility Advisory Committee to improve access to meetings. For members with mobility or other accessibility issues, being able to attend a Council meeting electronically improves their ability to participate. Electronic participation may also increase the ability for members to participate in the case of long-term illnesses or recoveries. It also gives flexibility for members who may be expecting or planning to take parental leave, or who have young children, to be able to attend meetings more frequently and fit around their schedule.

The upcoming 2022 municipal election also underscores the importance of increasing accessibility of meetings. Allowing for hybrid meetings without restrictions may lead prospective candidates to run in the election who would not have considered it previously, given the higher level of accessibility that hybrid meetings provide. Potentially increasing the number of local residents who wish to participate in municipal government provides strong support for hybrid meetings. In-person meetings may present an accessibility barrier that hybrid meetings can help to reduce.

Public Participation

Throughout the COVID-19 pandemic, electronic Council meetings have seen continued public participation. Residents were able to provide comments through written correspondence, or by joining the meeting live through Zoom or by telephone. Staff provided testing and assistance for residents prior to the meeting to ensure they would be able to join successfully. Due to these options, public participation remained high during the pandemic and electronic participation even allowed for deputants to join from outside the Newmarket area.

Hybrid meetings will allow residents to join meetings electronically as deputants, which provide for the same accessibility and flexibility discussed for Council members. It also allows for residents to join a meeting without the same time commitment as attending in person. For example, residents who may commute for work outside Newmarket may be able to provide their deputation from their work location, without the need to take time off work and travel back to Newmarket. In addition, as the Town of Newmarket transitions towards reopening all of its facilities to the public, residents will again be able to attend Council meetings in-person and provide their feedback in the traditional way. Hybrid

meetings will provide the benefits of both in-person and electronic participation for residents.

Proposed Hybrid Meeting Policy

The attached draft Hybrid Meeting Policy sets out a formal structure to continue the practices developed throughout the COVID-19 pandemic, to create a hybrid meeting structure. Members of Council may choose to participate in meetings either by attending Council Chambers in-person, or by logging in to the meeting remotely. On occasion, meetings may be scheduled as in-person only, due to special circumstances as decided by the Chair. Also meetings may be scheduled as in-person only due to technical requirements, such as the meeting being held in a location which does not have the technology required to hold hybrid meetings.

Equal Participation

One of the goals of the Hybrid Meeting Policy is to ensure that Members are treated equally within a meeting, regardless of the method in which they join the meeting. The previous discussion on accessibility of meetings illustrates the importance of ensuring that Members have the same ability to participate in a meeting whether they are in-person or joining the meeting electronically. Previously, electronic participation was limited in the Municipal Act, as Members did not count towards quorum and could not join closed session meetings through electronic participation. As these legislated restrictions no longer remain in effect, there is no longer a legal distinction between in-person and electronic participation.

At this time, staff do not recommend setting limits regarding Members' electronic participation, such as a minimum number of members physically present, a maximum number of times per year a Member may join remotely, or a requirement to provide notice before participating remotely. Such restrictions place an administrative burden on staff to track for all meetings and Members. They also set electronic participation apart from in-person participation, which encourages a perception that electronic participation is not equivalent to in-person participation.

Advisory Committees, Boards and Task Forces

The Hybrid Meeting Policy will also apply to the Town's advisory committees, boards and task forces. Advisory committees, boards and task forces will be held in a hybrid format, with the ability of members to join in-person or remotely. The benefits of allowing hybrid meetings for these groups will have the same benefits for Council, while ensuring a consistent approach to the Town's meetings. The [recent survey](#) of Committee members showed that 59% of respondents agreed that electronic meetings should continue after the public health measures have ended. Hybrid meetings will allow for committee members to choose how they would like to join meetings, either in-person or electronically. Committee members are faced with the same challenges and busy

schedules as Councillors, and providing a flexible approach to their participation should encourage higher levels of attendance and help to attract new volunteers in the future.

Review by new term of Council with procedure by-law

Staff recommend that the draft Hybrid Meeting Policy be employed as a pilot, with a scheduled review at the beginning of the term of the 2022-2026 Council. As a best practice, Legislative Services undertakes a Procedure By-law review at the beginning of the term of a new Council. This review would allow the new Council to consider hybrid meetings in the broader context of the Procedure By-law, drawing upon the experience of the previous Council through the pandemic and hybrid meeting trial period. As hybrid meetings potentially change the dynamic of meetings, it is most effective to examine their effect on the Procedure By-law as a whole. Further, it will allow staff to draw on the best practices developed in York Region and other Ontario municipalities following the return to hybrid and in-person meetings.

Hybrid Meetings and Return to Council Chambers

In October of 2020, staff presented a phased approach to the return of Council Members to Council Chambers for hybrid meetings. Due to a resurgence in COVID-19 cases, the phased approach was never implemented and meetings have been held through the fully electronic method since the start of the pandemic. With the provincial government's Roadmap to Reopen plan and high levels of vaccination, public health measures will allow for Council Members to return to Council Chambers for in-person participation in hybrid meetings.

Staff recommend that the Committee of the Whole meeting of October 25, 2021 should be the first hybrid meeting to be facilitated with in-person participation. This meeting will be the first full Council meeting cycle after the Thanksgiving holiday. The date for the return of members of the public to Council Chambers is currently undetermined, as the Municipal Offices at 395 Mulock Drive remain closed to the public. Staff recommend that members of the public continue to join meetings remotely until the full resumption of in-person services at 395 Mulock Drive.

Municipal Comparison

There has been wide consultation between municipalities regarding hybrid meetings and the return to in-person participation, both throughout York Region and more broadly across Ontario. As of the date of this report, all York Region municipalities continue to meet through electronic meetings. Consultation with other York Region municipalities shows that most are in a planning phase to return to some form of in-person participation through hybrid meetings in Autumn 2021. However, many municipalities note that technology upgrades are required to facilitate hybrid meetings. The technology upgrades necessary to facilitate hybrid meeting in Newmarket's Council Chambers were completed in November of 2020 and have served as a model for other York Region municipalities in consideration of their own audiovisual upgrades.

Conclusion

Upon Council's approval of the draft Hybrid Meeting Policy, staff will develop procedures to support Council and Committee hybrid meetings. Staff will continue to monitor the effectiveness of Newmarket's hybrid meetings, and the experience of neighbouring municipalities.

Business Plan and Strategic Plan Linkages

This report aligns with all of Council's six Strategic Priorities for this term, as Council's decision points at meetings assists in fulfilling these Priorities for the Town.

Consultation

This report was reviewed by the members of the Strategic Leadership Team. Broad consultation was conducted across York Region and other Ontario municipalities.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment 1 – Draft Hybrid Meeting Policy

Attachment 2 – Draft Procedure By-law Amendment

Approval

Lisa Lyons, Director of Legislative Services/Town Clerk

Esther Armchuk, Commissioner of Corporate Services

Contact

For more information, please contact Andrew Walkom at awalkom@newmarket.ca or 905-953- 5300 extension 2208.

Hybrid Meeting Participation - Pilot

Policy Number: XXX

Topic: Municipal Governance

Applies to: Newmarket Council and Committee Members

Policy Statement and Strategic Plan Linkages

The Town of Newmarket's Council and Committees provide guidance and vision for the matters facing the community. It is essential that members be provided with the opportunity to participate in this process and accommodated when they are unable to attend in-person. Electronic participation gives members the ability to join the meeting from a different physical location, which improves Council's and Committees' inclusivity and representation.

This policy aligns with all of Council's six Strategic Priorities for this term, as Council's decision points at meetings assists in fulfilling these Priorities for the Town. The ability for members to participate electronically enhances the decision making process, improves community involvement through committees and provides accommodation for those members who would otherwise be unable to attend meetings.

Purpose and Applicability

This policy provides guidance to Council and Committee Members on electronic participation during meetings of Council and Committees of the Town of Newmarket, and the necessary framework to ensure consistent administrative practices.

This policy applies to Council and Committees, subject to legislative requirements and governing by-laws. The policy does not apply to internal bodies (e.g., staff committees and staff task forces) or to the public.

Definitions

Note: All defined terms are in bold font with the first letter capitalized.

Advisory Committee means a committee, board, task force or other body constituted and appointed by Council, with the exception of the Newmarket Public Library Board;

Audio-only communication means a type of electronic communication which transmits audio only without picture to the participant, such as teleconferencing;

Audiovisual communication means a type of electronic communication which transmits both audio and video, allowing the participant to both hear and see the other participants, such as online meeting software including Zoom;

CAO means the Chief Administrative Officer of the Town or their designate;

Chair means the presiding officer and spokesperson of a Committee;

Clerk means the Director of Legislative Services/Town Clerk or their designate;

Council Meeting means a meeting composed of Council members only, including Council, Committee of the Whole and Site Plan Review Committee;

Electronic Participation means the participation in a meeting of a member who is not physically present in the room but through electronic means such as Audio-only communication, Audiovisual communications, or voice-over-internet-protocol (VOIP);

Hybrid Meeting means a meeting which is held both in-person and through electronic participation, where members may choose to attend through either method.

Quorum means a majority of Members of Council or an Advisory Committee, or as otherwise established in the terms of reference;

Member means a Member of Council or an Advisory Committee;

Town means the Corporation of the Town of Newmarket;

Provisions

1. Participation

1.1 In accordance with the Municipal Act, 2001, as amended from time to time:

1.1.1 **Members** participating electronically may count towards **Quorum**; and,

1.1.2 **Members** participating electronically may participate in a meeting that is open or closed to the public.

1.2 All **Members** may participate electronically using **Audio-only communication** or **Audiovisual communication** approved by the **Clerk**.

1.3 If there are members of the public that are physically in attendance at a meeting, they must be able to hear the **Member(s)** who are participating electronically using **Audio-only communication**, or see the **Member(s)** who are participating using **Audiovisual communications**.

- 1.4 Due to special circumstances as decided by the Chair, some **Council Meetings** may be held in-person only, rather than as a **Hybrid Meeting**, without the option for **Electronic Participation**.

2. Technical Requirements

- 2.1 **Members** participating electronically shall be responsible for testing and ensuring the reliability of their connection using **Audio-only communication** or **Audio-visual communication** prior to the start of the meeting.
- 2.1.1 **Members** participating electronically shall login to the electronic meeting within 30 minutes of the start of the meeting to test connectivity, and audio and visual quality.
- 2.2 If, a **Member** loses connectivity during a meeting for more than 2 minutes, the **Member** will be deemed to have left the meeting, and:
- 2.3 **Members** shall only participate in meetings that are being held in meeting rooms that can accommodate the technical requirements of **Electronic Participation**.

3. Voting

- 3.1 When the **Chair** calls for a vote on a matter, **Members** who are participating using **Audio-only communications**, shall verbally announce their vote by stating “in favour” or “opposed”.
- 3.2 When the **Chair** calls for a vote on a matter, **Members** who are participating using **Audiovisual communications**, shall visually show their vote by raising their hand to show they are either “in favour” or “opposed”.
- 3.3 Recorded vote – treated same for audio and audiovisual – verbal vote when called upon

4. Public Participation

- 4.1 Members of the Public who wish to provide a deputation at a **Council Meeting** may attend in person in the meeting room or through **Electronic Participation** when the meeting is held as a **Hybrid Meeting**.
- 4.2 Members of the Public who wish to attend a **Hybrid Meeting** to observe the meeting without participating may attend in person in the meeting room or through the Town’s electronic video streaming service.

5. Administration and Contact

- 5.1 This Policy shall be administered by the Legislative Services Department. Procedures may be defined, and amended from time to time, by the **Clerk** to address specific implementation of this Policy.
- 5.2 All questions, or concerns with respect to this Policy should be directed to the **Clerk**.

Cross-References

Municipal Act, 2001, as amended from time to time
Town of Newmarket Procedure By-law 2020-12

Contact

Lisa Lyons, Director of Legislative Services/Town Clerk
905-953-5300 ext. 2211
llyons@newmarket.ca

Details

Approved by: Council
Adoption Date:
Policy Effective Date:
Last Revision Date:
Revision No: 000

Draft until approved by Council

Corporation of the Town of Newmarket

By-law 2021-XX

A By-law to amend Procedure By-law 2020-12 to permit electronic participation in meetings.

Whereas Section 238(2) of the Municipal Act, 2001 provides that every municipality shall pass a procedure by-law for governing the calling, place, and proceedings of Meetings; and,

Whereas the Council of the Corporation of the Town of Newmarket enacted Procedure By-law 2020-12; and,

Whereas on March 19, 2020 the Province of Ontario enacted the Municipal Emergency Act, 2020 to amend the Municipal Act, 2001, to enact section 238(3.3) and 238 (3.4) to permit meetings to be held electronically during an emergency declared pursuant to the Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E.9; and,

Whereas on July 23, 2020, the COVID-19 Economic Recovery Act, 2020 (Bill 197) received Royal Assent from Legislature of Ontario; and,

Whereas Section 238(3.1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended by the COVID-19 Economic Recovery Act, 2020 (Bill 197), allows for a member of council, a local board, or a committee of either of them to participate electronically in a meeting of the municipality which is open or closed to the public and be counted towards quorum, provided that the municipality's procedural by-law so allows, and that such authority is no longer limited to periods in which an emergency is declared to exist in all or part of the municipality under Section 4 or Section 7.0.1 of the Emergency Management and Civil Protection Act; and,

Whereas the province-wide emergency declared by the Premier of Ontario under Order in Council 518/2020 (Ontario Regulation 50/20) pursuant to Section 7.0.1 of the Emergency Management and Civil Protection Act in response to the COVID-19 pandemic was revoked on July 24, 2020, and it has been resolved that a province-wide emergency will not be further declared at this time; and,

Whereas the Council of the Town of Newmarket considers it necessary to continue to conduct meetings of Council, its committees, and its local boards by electronic communications to ensure the continuity of municipal operations and the provision of essential municipal services while observing the recommendations of public health authorities in relation to the COVID-19 pandemic;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That section 26 (Electronic Meeting Participation) of By-law 2020-12, as amended, be amended to delete the following words: "effective October

13, 2020 until December 31, 2021” and replace with the following words:
“effective August 30, 2021.”

Enacted this 30th day of August, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Second Quarterly Update to the Outstanding Matters List for 2021 Staff Report to Council

Report Number: 2021-57

Department(s): Legislative Services

Author(s): Jaclyn Grossi, Legislative Coordinator

Meeting Date: August 23, 2021

Recommendations

1. That the report entitled Second Quarterly Update to the Outstanding Matters List for 2021 dated August 23, 2021 be received; and,
2. That Council adopt the Outstanding Matters List (**Attachment A**); and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution

Purpose

The purpose of this report is to present Council with the second quarterly update to the Outstanding Matters List in 2021.

Background

Council adopted the [first quarterly update](#) for 2021 at their May 10, 2021 Council - Electronic meeting. This report serves to present the second quarterly update for 2021.

Discussion

An updated Outstanding Matters List (Attachment A) has been provided and is presented to Council for adoption. As a reminder, the items included in Attachment A are only items from the Outstanding Matters List, which require Council decision or consideration. The chart does not depict other projects or work that staff continue to

dedicate resources towards. It also does not include the Council-approved action items contained in the REV it Up Campaign or within Council's Strategic Priorities.

Corresponding item numbers have been enumerated to ensure that Council has ease of reference for specific matters should there be questions about associated timeframes or the subject matter itself. Insert main content and include options where applicable.

Staff have completed # items on the Outstanding Matters List

The following items have been removed from the Outstanding Matters List (the "List"):

(1) Alex Doner Drive Traffic Mitigation Request

Recommendation:

That the request for a review of traffic control and traffic calming measures on Alex Doner Drive between Sykes Road and Kirby Crescent be referred to Staff.

This item has been removed as Council received a report regarding traffic mitigation measures on Alex Doner Drive at their June 14, 2021 Committee of the Whole - Electronic meeting.

(2) Traffic Calming Measures on Stonehaven Avenue

Recommendations:

That Council direct Staff to review and report back to Council with options for temporary and permanent traffic calming measures or features to be added to Stonehaven Avenue; and,

That Council direct Staff to review and report back to Council regarding a three way stop to be added to the west side of Best Circle and Stonehaven Avenue.

This item has been removed as Council received reports regarding traffic calming measures on Stonehaven Avenue at their June 14, 2021 Committee of the Whole - Electronic meeting.

(3) Urban Centres Secondary Plan and Zoning By-law Technical Amendments

Recommendation:

That upon Regional approval of Official Plan Amendment No. 25, Staff be directed to bring the attached Zoning By-law Amendment to a future Council meeting for approval.

This item has been removed as Council enacted the referenced Zoning By-law Amendment, being By-law 2021-29, at their June 21, 2021 Council - Electronic meeting.

(4) 460 Davis Drive – Modifications to Official Plan Amendment 25 and related Zoning By-law Amendment

Recommendation:

That upon the approval of OPA 25 by the Regional Municipality of York, Staff be directed to forward the Zoning By-law Amendment as shown in Attachment 2 to a regular Council meeting for approval.

This item has been removed as Council enacted the referenced Zoning By-law Amendment, being By-law 2021-29, at their June 21, 2021 Council - Electronic meeting.

(5) Traffic Calming Measures/Speed Mitigation at William Roe Boulevard and Dixon Boulevard

Recommendation:

That the report entitled William Roe Boulevard /Dixon Boulevard Traffic Review dated February 1, 2021 be referred back to staff in order to gather further traffic data and to provide a report to a future Committee of the Whole meeting.

This item has been removed as information report INFO-2021-21 entitled William Roe Boulevard and Dixon Boulevard Traffic Update was distributed on June 9, 2021.

Revised Reporting Timeframes Due to the Pandemic

Throughout the pandemic the Strategic Leadership Team (SLT) has continually been reviewing staff workloads and ensuring that time sensitive items have been prioritized. This has resulted in non-urgent items being deferred until after the declaration of the end of the pandemic to make certain that staff time is being utilized effectively and efficiently. Some items on the attached OML have updated language in the additional comments column to outline reasonable expectations regarding specific project timelines.

Conclusion

Staff will continue to provide Council with an updated Outstanding Matters List quarterly in 2021 to reflect the current status of items which Staff have been directed to report back to Council on.

Business Plan and Strategic Plan Linkages

As this report highlights an updated Outstanding Matters List for the Corporation, this report aligns with all six pillars of Council's Strategic Priorities.

Consultation

Members of the Strategic Leadership Team (SLT) and Operational Leadership Team (OLT) were consulted in this report.

Human Resource Considerations

There are no human resource considerations specific to this report. However, individual projects within the List may have associated human resources impacts, and any such considerations will be noted in the individual reports on those matters

Budget Impact

There are no budget impacts specific to this report. However, individual projects within the List may have associated budget impacts, and any such considerations will be noted in the individual reports on those matters.

Attachments

Attachment A – Outstanding Matters List.

Approval

Lisa Lyons, Director of Legislative Services/Town Clerk

Esther Armchuk, Commissioner, Corporate Services

Peter Noehammer, Commissioner, Development & Infrastructure Services

Ian McDougall, Chief Administrative Officer

Contact

For more information about individual projects contained in Attachment A, please contact the responsible Department Director or respective Commissioner.

| Item | Subject Matter | Council Direction from Outstanding Items List | Previous Reporting Timeframe | New Proposed Reporting Timeframe | Additional Comments |
|--|---|---|-------------------------------|----------------------------------|---|
| Items for Council consideration in Q3 2021 | | | | | |
| 1. | Electronic Participation in Meetings and 2021 Council/Committee of the Whole Schedule | <p>Meeting Date: Committee of the Whole - Electronic - October 5, 2020</p> <p>Recommendations:</p> <ol style="list-style-type: none"> That electronic participation by Council members be permitted until the end of 2021 and that staff be directed to report to Council with a revised electronic participation policy prior to this date; and, That staff be directed to report to Council in April/May 2021 on a Policy for Electronic Participation in hybrid meetings, establishing start times for Council and Committee of the Whole meetings for July to December 2021 and resumption of hybrid meetings for Advisory Committees; <p>Responsible Department:</p> <ul style="list-style-type: none"> Legislative Services | Q2 & Q4 2021 | August 23 CoW | <p>Staff presented Council with a report at their Committee of the Whole - Electronic meeting on April 12, 2021 regarding the current status of hybrid meetings, Public Health measures, and the Provincial State of Emergency/Stay-At-Home Order.</p> <p>Staff will be presenting Council with an update regarding hybrid meetings at their August 23, 2021 Committee of the Whole - Electronic meeting.</p> |
| 2. | Town-Wide Mitigation Strategy - Traffic Calming Policy Public Consultation Report | <p>Meeting Date: Committee of the Whole - September 23, 2019</p> <p>Recommendation:</p> <ol style="list-style-type: none"> That Staff report back to Council in up to 12 months regarding various initiatives raised in this report. <p>Responsible Departments:</p> <ul style="list-style-type: none"> Engineering Services | Q2 2021 Q1 2021 Q4 2020 | Q3 2021 | Staffing shortages are affecting the timing of this report. Recruitment efforts are currently ongoing in an effort to find new qualified and experienced staff. |
| 3. | Damage to Lawns Due to Snow Removal | <p>Meeting Date: Committee of the Whole - Electronic - January 11, 2021</p> <p>Recommendation:</p> <ol style="list-style-type: none"> That Council direct staff to provide an information report regarding damage to lawns caused by snow removal. <p>Responsible Department:</p> <ul style="list-style-type: none"> Public Works Services | Q2 2021 | Q3 2021 | Staff will prepare and distribute an Information Report. |

| Item | Subject Matter | Council Direction from Outstanding Items List | Previous Reporting Timeframe | New Proposed Reporting Timeframe | Additional Comments |
|--|---|--|------------------------------|----------------------------------|--|
| Items for Council consideration in Q3 2021 | | | | | |
| 4. | Newmarket's Anti-Black Racism Task Force Interim Report | Meeting Date: Committee of the Whole - Electronic May 25, 2021 Recommendation: 3. That staff be directed to provide Council with an information report regarding the provisional recommendations within sixty days; and, Responsible Department: <ul style="list-style-type: none"> Human Resources | | Q3 2021 | |
| 5. | Traffic & Parking Petitions | Meeting Date: Committee of the Whole - Electronic April 12, 2021 Recommendation: 1. That the Helmer Avenue Parking Update report be deferred for consideration until a future Committee of the Whole Meeting in September or October 2021. Responsible Departments: <ul style="list-style-type: none"> Engineering Services | | Q3/Q4 2021 | Council received an update on the Helmer Avenue Parking Review at their April 12, 2021 Committee of the Whole - Electronic meeting and deferred consideration of the report until September or October 2021. |
| 6. | Parking Restrictions (Motions from Councillor Broome) | Meeting Date: Council - Electronic May 10, 2021 Recommendations: <ol style="list-style-type: none"> That staff be directed to conduct a study to determine the feasibility of parking restrictions on Hewitt Circle between house numbers 486 – 490; and, That staff be directed to conduct a study to determine the feasibility of parking restrictions on Jordanray Blvd at the bend at house number 95; and, That staff be directed to conduct a study to determine the feasibility of further parking restrictions on Rushbrook Drive between house numbers 200 and 212. Responsible Departments: <ul style="list-style-type: none"> Engineering Services | | Q3/Q4 2021 | |

| Item | Subject Matter | Council Direction from Outstanding Items List | Previous Reporting Timeframe | New Proposed Reporting Timeframe | Additional Comments |
|--|---|--|---|----------------------------------|---|
| Items for Council consideration in Q4 2021 | | | | | |
| 7. | INFO-2020-32: Vacant/Derelict Buildings | Meeting Date: Council - October 13, 2020 Recommendations: 1. That Council direct staff to report back to Council with options for a Vacant Building Registry Program by Q1 2021. Responsible Department: <ul style="list-style-type: none"> Legislative Services Planning & Building Services | Q2 2021 Q1 2021 | Q4 2021 | Staff have provided the proposed reporting timeframe of Q4 2021 to allow for time sensitive issues during the pandemic to be dealt with and to allow for balanced workplans. |
| 8. | Extending the 30 Minute Downtown Parking Restrictions on Main Street | Meeting Date: Committee of the Whole - Electronic - September 14, 2020 Recommendation: 1. That staff report back on the findings of the public consultation, and any recommendations to further amend Main Street parking restrictions by Q1 2021; Responsible Departments: <ul style="list-style-type: none"> Legislative Services | Q1 2021 | Q4 2021 | Staff will prepare and distribute an Information Report. The BIA has surveyed its general membership and will be making a recommendation at a future meeting. This item is related to recommendation #1 in the Downtown Parking Review (see item 17). Staff have provided the proposed reporting timeframe of Q4 2021 to allow for time sensitive issues during the pandemic to be dealt with and to allow for balanced work plans. This extension also provides more time to assess the success of the ammendments. |
| 9. | All Way Stop at Frederick Curran Lane and Art West Avenue (Motion from Councillor Bisanz) | Meeting Date: Committee of the Whole - Electronic June 14, 2021 Recommendations: 1. That Council direct staff to investigate the addition of stop signs at the intersection of Frederick Curran Lane and Art West Way, making it an all-way stop intersection, and to report back to Council at the earliest opportunity. Responsible Departments: <ul style="list-style-type: none"> Engineering Services | | Q4 2021 | Staff are currently gathering traffic information and will have a report to Council in Q4. |
| 10. | Protection of Trees on Private Property | Meeting Date: Committee of the Whole - June 17, 2019 Recommendation: 4. That following the internal and public consultation, issues identified in this report, together with comments from the public, and Committee, be addressed by staff in a comprehensive report to the Committee of the Whole with a draft by-law; Responsible Department: <ul style="list-style-type: none"> Planning and Building Services | Q3 2021 Q2 2021 Q1 2021 Q4 2020 Q1 2020 | Q4 2021 | A draft by-law will be circulated for public comment in Q3, with final recommended by-law intended to come forward in Q4. |

| Item | Subject Matter | Council Direction from Outstanding Items List | Previous Reporting Timeframe | New Proposed Reporting Timeframe | Additional Comments |
|---|------------------------|---|---|----------------------------------|--|
| Items for Council consideration in 2022 | | | | | |
| 11. | Residential Parking | <p>Meeting Date: (1) Committee of the Whole - November 6, 2017 (2) Committee of the Whole – April 9, 2018 (Temporary Parking Exemption Report)</p> <p>Recommendations: (1) 1. That Development and Infrastructure Services Engineering Services and Planning and Building Services - Report 2017-45 dated November 6th, 2017 regarding Residential Parking Review be received and the following recommendations be adopted: c. That, subject to budget approval, staff be directed to undertake a review of the Parking By-law and report back to Committee of the Whole with recommendations on improvements to parking matters discussed in this report. (2) 5. That the Temporary Parking Exemption Program be implemented as a pilot project and reviewed as part of the overall residential parking review scheduled for Q1/Q2, 2019</p> <p>Responsible Department:</p> <ul style="list-style-type: none"> Planning and Building Services Legislative Services | <p>Q4 2021 Q1 2021 Q4 2020 Q3 2020</p> | 2022 | It is expected that a Council Workshop will be required for this matter. Given current workloads and other workshops that are also being planned, this matter is expected to come forward in 2022. |
| 12. | Construction Vibration | <p>Meeting Date: Council - Electronic - November 2, 2020</p> <p>Recommendations: 7. That Staff be directed to prepare an amended version of Noise By-law 2017-76 to include provisions relating to vibration (option #3) for non-Planning Act development, for Council's consideration at a later date; and, 8. That Staff be directed to develop a permit process to address vibration complaints for significant non-Planning Act construction</p> <p>Responsible Departments:</p> <ul style="list-style-type: none"> Legislative Services | Q3 2021 | 2022 | |

| Item | Subject Matter | Council Direction from Outstanding Items List | Previous Reporting Timeframe | New Proposed Reporting Timeframe | Additional Comments |
|---|---|---|------------------------------|----------------------------------|---|
| Items for Council consideration in 2022 | | | | | |
| 13. | Parking Enforcement Initiative - Pay It Forward Program | Meeting Date: Committee of the Whole - November 4, 2019 Recommendation: 3. That Staff report back to Council within 18 months Responsible Department: <ul style="list-style-type: none"> Legislative Services | Q3 2021 Q2 2020 | 2022 | Council previously requested that staff require donations to the Newmarket CARE program, however online donations cannot be accepted. Given that resources will be committed to recovery from the Pandemic this initiative is not deemed a priority item and will be presented to Council as an Information Report in 2022. |
| 14. | Short Term Rentals & Municipal Accommodation Tax | Meeting Date: Committee of the Whole – February 3, 2020 Recommendations: 3. That Council direct Staff to proceed with Option 3 as described in the report. Option 3 would require the adoption of a Licensing By-law, presented to Council in April or May 2020 and amendments to the Zoning By-law, presented to Council by August 2020. Meeting Date: Special Committee of the Whole – Electronic – June 15, 2020 Recommendations: 4. That Council direct staff to bring forward a report regarding a Municipal Accommodation Tax (MAT) on all short term rental properties in Q3/Q4 2021. Responsible Department: <ul style="list-style-type: none"> Legislative Services Planning and Building Services Financial Services | Q2 2021 Q3/Q4 2020 | 2022 | <p>Due to the pandemic, Short Term Rentals have been significantly affected, making it difficult to assess the success of the licensing regime.</p> <p>Staff will prepare a report to Council by in 2022 which will provide an update on the project and seek direction for further action.</p> <p>The Municipal Accommodation Tax will need to be included with this matter, and staff will need to outline a plan to approach this item, starting with stakeholder consultations.</p> |

| Item | Subject Matter | Council Direction from Outstanding Items List | Previous Reporting Timeframe | New Proposed Reporting Timeframe | Additional Comments |
|---|---|--|------------------------------|----------------------------------|--|
| Items for Council consideration in 2022 | | | | | |
| 15. | INFO-2020-34: Active Transportation Implementation Plan - Bicycle Lanes | <p>Meeting Date: Committee of the Whole - Electronic February 22, 2021</p> <p>Recommendation:</p> <ol style="list-style-type: none"> 1. That the information report entitled Active Transportation Implementation Plan - Bicycle Lanes be referred to staff to organize a Council Workshop in Q3 2021, to look at ways to continue to implement bike infrastructure while looking at best practices to mitigate community impact; and, <p>Responsible Department:</p> <ul style="list-style-type: none"> • Engineering Services | Q3 2021 | 2022 | To ensure balanced department workplans, staff will schedule a Workshop in 2022. |
| 16. | Multi Use Trails Safety Enhancements | <p>Meeting Date: Committee of the Whole - Electronic February 22, 2021</p> <p>Recommendation:</p> <ol style="list-style-type: none"> 5. That staff proceed with coordinating a Council Workshop to explore the future direction and priorities for developing multi use trails, by Q3 2021; and, <p>Responsible Department:</p> <ul style="list-style-type: none"> • Public Works Services | Q3 2021 | 2022 | Staff are working to coordinate similarly related workshops, coordinate information where possible and prioritize accordingly. Staff also require additional time to explore and further investigate best practices and innovative approaches in Multi Use Trails. |
| 17. | Downtown Parking Review | <p>Meeting Date: Council - Electronic - August 31, 2020</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. That staff be directed to consult with the BIA and report to Council by Q1 2021 on potential permanent 30 minute parking restrictions on Main Street including a review of other options; and, 2. That Council direct staff to present a report on parking wayfinding in the downtown area for Council consideration in Q2 2021; <p>Responsible Departments:</p> <ul style="list-style-type: none"> • Innovation & Strategic Initiatives | Q2 2021 Q1 2021 | 2022 | |

| Item | Subject Matter | Council Direction from Outstanding Items List | Previous Reporting Timeframe | New Proposed Reporting Timeframe | Additional Comments |
|---|--|---|--|----------------------------------|---|
| Items for Council consideration in 2022 | | | | | |
| 18. | Heritage Designations - York Region Administrative Building and Newmarket Canal System | <p>Meeting Date: Committee of the Whole - April 30, 2018</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 2. The Strategic Leadership Team/Operational Leadership Team recommend that the following be referred to staff for review and report: <ol style="list-style-type: none"> a. That the Heritage Newmarket Advisory Committee propose to the Region of York that the Administration Centre building be designated, due to its noted architect; and, b. That the Heritage Newmarket Advisory Committee recommend the Town of Newmarket designate the Newmarket Canal system. <p>Responsible Department:</p> <ul style="list-style-type: none"> • Planning and Building Services | <p>Q4 2021</p> <p>Q2 2021</p> <p>Q1 2021</p> <p>Q3 2020</p> <p>Q1 2020</p> | 2022 | Timing is contingent on York Region first bringing this matter forward for Regional consideration. As the timing for this is not known, 2022 is the proposed timeframe. |
| 19. | Hollingsworth Arena and Future Ice Allocation Considerations | <p>Meeting Date: Committee of the Whole – April 8, 2019</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 3. That the Town of Newmarket operate with six ice pads and report back annually on the status of ice allocations, and ability to accommodate users; and 6. That within six months staff bring back a report on any plans for public amenity use at this location; <p>Responsible Department:</p> <ul style="list-style-type: none"> • Recreation and Culture Services | <p>Q3 2021</p> <p>Q1 & Q3 2020</p> | 2022 | <p>Due to the restrictions and limitations during the Covid-19 pandemic, this upcoming 2021-2022 season will be the first season in which we will operate with six indoor ice surfaces. As such, further reporting on how this impacted user groups will be explored next year after a full season of operation.</p> <p>With respect to reporting on future use of the Hollingsworth Property, work will continue with the Developer to determine timelines in light of the pandemic. A further report will follow in 2022.</p> |

| Item | Subject Matter | Council Direction from Outstanding Items List | Previous Reporting Timeframe | New Proposed Reporting Timeframe | Additional Comments |
|------------------------------------|--|---|-------------------------------|--|---|
| Items with a date to be determined | | | | | |
| 20. | Council Remuneration | Meeting Date: Committee of the Whole – April 9, 2018 Recommendations: <ol style="list-style-type: none"> That Council refer the consultant and staff report to the new term of Council to be considered along with updated information at that time and to allow for phasing of any further adjustments to occur if necessary. Responsible Department: <ul style="list-style-type: none"> Office of the CAO/Human Resources | Q1 2020 | To be determined – see additional comments | Staff will present a report to Council regarding remuneration once the pandemic is declared over. |
| 21. | Newmarket Public Library Study Implementation | Meeting Date: Committee of the Whole - February 26, 2018 Recommendations: <ol style="list-style-type: none"> That Council refer the further consideration and direction with respect to library facility needs study to the 2018 – 2022 Council Strategic Priority setting process. Responsible Department: <ul style="list-style-type: none"> Community Services/Newmarket Public Library | Q3 2020 | To be determined – see additional comments | The Town's facility needs study has been delayed as result of the pandemic. The NPL efforts are to collaboratively integrated into this effort. Anticipated delay until late 2022 or 2023. |
| 22. | Youth Engagement, Diversity and Inclusivity, and Consultation on the Environment | Meeting Date: Committee of the Whole – June 17, 2019 Recommendation: <ol style="list-style-type: none"> That staff be directed to plan a Climate Change Open House for Fall 2019 (completed) and a Spring 2020 e-Waste Collection event as part of a one-year pilot environmental consultation program and report back in 2020 with a review of this program; Responsible Departments: <ul style="list-style-type: none"> Engineering Services Public Works Services | Q2 2021 Q4 2020 Q1 2020 | To be determined - see additional comments | The Spring e-Waste Collection event was postponed due the current Public Health measures, Provincial State of Emergency and Stay At Home Order. Staff will continue to monitor the Public Health guidelines and provide an update when an event is able to be held. |



THE FOLLOWING RESOLUTION WAS APPROVED BY THE LIBRARY BOARD AT ITS REGULAR MEETING HELD WEDNESDAY, MAY 19, 2021

WHEREAS public libraries are vibrant community hubs where residents of all ages and backgrounds can learn, work, train, innovate, explore and connect;

and, **WHEREAS** the Newmarket Public Library provides community members with equitable, reliable access to broadband internet;

and, **WHEREAS** the Newmarket Public Library uses technology to make resources more accessible and responsive to people's changing needs;

and, **WHEREAS** the Newmarket Public Library supports local economic development through the provision of important business development and job skills programming for adults and youth;

and, **WHEREAS** the Newmarket Public Library works closely with local residents to deliver valued programs and services and shares knowledge and resources;

and, **WHEREAS** the Newmarket Public Library continues to responsibly manage public resources with the utmost care and is committed to the sustainability of its services;

and, **WHEREAS** the Newmarket Public Library recognizes the opportunity that targeted provincial investment can provide to secure more equitable access to increasingly significant digital resources and library-based services across Ontario;

THEREFORE, BE IT RESOLVED

1. that the Town of Newmarket encourages the Province of Ontario to continue to recognize and support the contribution of local libraries within their communities;
2. that the Town of Newmarket encourages the Province of Ontario to maintain existing funding for Ontario's public libraries,
3. that the Town of Newmarket encourages the Province of Ontario to make a new, ongoing, targeted annual investment to strengthen access to modern, cost-effective digital resources and services for all Ontarians through local public libraries;
4. that a copy of this resolution be sent to the Ontario Minister of Heritage, Sport, Tourism, and Culture Industries, to the Ontario Minister of Municipal Affairs, to the local MPPs, to the Association of Municipalities Ontario, to the Ontario Library Association, to the Federation of Ontario Public Libraries, and to York Region and local area municipalities for endorsement.



Newmarket Public Library Board

Minutes

Date: Wednesday, May 19, 2021

Time: 5:30 PM

Members Present: Darcy McNeill, Chair
Jane Twinney, Vice Chair
Kelly Broome
Darryl Gray
Leslee Mason
Art Weis
Victor Woodhouse

Staff Present: Linda Peppiatt, Acting CEO
Jennifer Leveridge, Manager, Library Services
Benjamin Shaw, Manager, Library Operations
Lianne Bond, Administrative Coordinator

1. Meeting to be held through video interface

2. Adoption of Agenda Items

- 2.1 Adoption of the Regular Agenda
- 2.2 Adoption of the Closed Session Agenda
- 2.3 Adoption of the Consent Agenda Items

Motion 21-05-188

Moved by Kelly Broome

Seconded by Leslee Mason

That items 2.1 to 2.3 are adopted as presented.

Carried

3. Declarations

None were declared.

4. Consent Agenda Items

- 4.1 Adoption for the Regular Board meeting minutes for April 21, 2021
- 4.2 Strategic Operations report for April, 2021

Motion 21-05-189

Moved by Darryl Gray

Seconded by Art Weis

That items 4.1 to 4.2 be adopted and approved as presented.

Carried

5. Reports

There were no reports.

6. Business Arising

- 6.1 Dr. Seuss Books - Update

The Acting CEO provided a verbal update on the information gathered so far regarding materials of concern. Consultation with other libraries showed that there is no consensus as to how libraries are managing this type of collection. A focus group has been conducted by Ontario Public Library Association however no results have been received as yet. The Acting CEO will continue to investigate and consult with community members and stakeholders and report back to the Library Board.

- 6.2 Support for Ontario Library Association / Canadian Federation of Public Libraries Pre-Budget Submission follow-up

A draft letter to be sent on behalf of the Newmarket Public Library Board to the Honourable Christine Elliott, Minister of Health and Deputy Premier, MPP Newmarket Aurora, and Resolution in support of the Ontario Library Association/Canadian Federation of Public Libraries 2021 Pre-Budget Submission was reviewed by the Library Board. The letter and Resolution endorse support for Libraries submission requesting provincial funding support to offset lost revenues from implementing fine free policies and to support the establishment of an Ontario Digital Public Library.

Motion 21-05-190

Moved by Art Weis

Seconded by Darryl Gray

That the Library Board approve the following Resolution.

Whereas public libraries are vibrant community hubs where residents of all ages and backgrounds can learn, work, train, innovate, explore and connect;

and, **Whereas** the Newmarket Public Library provides community members with equitable, reliable access to broadband internet;

and, **Whereas** the Newmarket Public Library uses technology to make resources more accessible and responsive to people's changing needs;

and, **Whereas** the Newmarket Public Library supports local economic development through the provision of important business development and job skills programming for adults and youth;

and **Whereas** the Newmarket Public Library works closely with local residents to deliver valued programs and services and shares knowledge and resources;

and, **Whereas** the Newmarket Public Library continues to responsibly manage public resources with the utmost care and is committed to the sustainability of its services;

and, **Whereas** the Newmarket Public Library recognizes the opportunity that targeted provincial investment can provide to secure more equitable access to increasingly significant digital resources and library-based services across Ontario;

Therefore Be It Resolved

1. that the Town of Newmarket encourages the Province of Ontario to continue to recognize and support the contribution of local libraries within their communities;
2. that the Town of Newmarket encourages the Province of Ontario to maintain existing funding for Ontario's public libraries,
3. that the Town of Newmarket encourages the Province of Ontario to make a new, ongoing, targeted annual investment to strengthen access to modern, cost-effective digital resources and services for all Ontarians through local public libraries;
4. that a copy of this resolution be sent to the Ontario Minister of Heritage, Sport, Tourism, and Culture Industries, to the Ontario Minister of Municipal Affairs, to the local MPPs, to the Association of

Municipalities Ontario, to the Ontario Library Association, to the Federation of Ontario Public Libraries, and to York Region and local area municipalities for endorsement.

Carried

6.3 Library Board Action List

The Library Board reviewed the Action List. The Chair updated the Library Board on recruitment of the CEO.

Motion 21-05-191

Moved by Victor Woodhouse

Seconded by Kelly Broome

That the Action List be received as presented.

Carried

7. New Business

7.1 2022 Draft Operating and Capital Budget Requests

The 2022 Decision Package Requests for Capital and Operating Budget were presented to the Library Board. It was noted the 2022 Operation Budget is not ready as yet as the Library is still consulting with the Town of Newmarket Finance.

Motion 21-05-192

Moved by Victor Woodhouse

Seconded by Art Weis

That the Library Board approve the draft Capital and Operating 2022 Decision Package requests for submission to the Town of Newmarket.

Carried

7.2 Support for Centre for Equitable Library Access (CELA)

A draft letter to be sent on behalf of the Newmarket Public Library Board to the Honourable Tony Van Bynen, Minister of Parliament for Newmarket Aurora, and Resolution to ensure sustainable funding to the Centre for Equitable Library Access (CELA) was reviewed by the Library

Board. CELA provides necessary reading materials for people with print disabilities.

Motion 21-05-193

Moved by Darryl Gray

Seconded by Art Weis

That the Library Board approve the following Resolution:

Whereas at least three million Canadians have print disabilities which include low vision or blindness, learning disabilities like dyslexia, or physical disabilities like Parkinson's, Cerebral Palsy, and others, which prevent them from using traditional print: and

Whereas each year in Canada, people with print disabilities read more than 1 million accessible titles, and the majority are in physical formats; and

Whereas access to information and ideas is crucial to education, to employment, and to opportunities to connect socially within a community, and yet fewer than 1 in 10 books are available in accessible formats for those with print disabilities; and

Whereas the Centre for Equitable Library Access (CELA) provides necessary reading materials for people with print disabilities, including those with vision loss, learning disabilities and physical disabilities, and libraries across the country rely on CELA to provide accessible reading materials and support to patrons that are cost effective and equitable, and

Whereas the Federal government has recently decided to reverse its proposed cuts to funding for accessible book production and distribution, but offers no assurances for longer term funding, which is still set to be fully withdrawn by the 2022-2025 fiscal year; and

Whereas without a funding guarantee, CELA may face a 50% reduction to its production and distribution budget next year, which will have a devastating impact on its ability to produce and distribute accessible reading materials.

Now Therefore Be it Resolved that the Newmarket Public Library Board request that the Federal government commit to ongoing, stable funding for CELA, so those with reading disabilities across Canada are not left further behind; and

That a copy of this resolution be sent to: public library boards across the country; the Minister of Employment, Workforce Development and Disability Inclusion, Carla Qualtrough; the Minister Finance, Chrystia Freeland; and Member of Parliament Tony Van Bynen.

Carried

8. Closed Session

- 8.1 Labour relations or employee negotiations, per section 16.1.4.(d) of the Public Libraries Act, R.S.O. 1990, Chapter P.44.
- 8.2 A matter in respect of which a board or committee of a board may hold a closed meeting under another Act. 2002,c.17,Sched.C, s.24(5) per section 16.1.4.(g) of the Public Libraries Act, R.S.O. 1990, Chapter P.44

Motion 21-05-194

Moved by Art Weis

Seconded by Kelly Broome

That the Library Board move in to a Closed Session at 6:40 pm for Labour relations or employee negotiations, per section 16.1.4.(d) of the Public Libraries Act, R.S.O. 1990, Chapter P.44.

And

A matter in respect of which a board or committee of a board may hold a closed meeting under another Act. 2002,c.17,Sched.C, s.24(5) per section 16.1.4.(g) of the Public Libraries Act, R.S.O. 1990, Chapter P.44

Carried

Motion 21-05-195

Moved by Victor Woodhouse

Seconded by Kelly Broome

That the Library Board move out of Closed Session at 6:50 pm.

Carried

Motion 21-05-196

Moved by Jane Twinney

Seconded by Leslee Mason

Motions Arising from Closed Session:

That the Closed Session minutes for March 17, 2021 be adopted as presented and April 20, 2021 be adopted as amended.

Carried

Motion 21-05-197

Moved by Art Weis

Seconded by Kelly Broome

That the Library Board receive the report on matters pertaining to Labour relations.

Carried

Motion 21-05-198

Moved by Kelly Broome

Seconded by Darryl Gray

That the Library Board receive the report on the results of the Request for Proposal for Strategic Planning Services;

And That the Library approve the recommendations as outlined in the report.

Carried

9. Dates of Future Meetings

The next regular Library Board meeting is scheduled for Wednesday, June 16, 2021 at 5:30 pm. Location electronic via Zoom.

10. Adjournment

Motion 21-05-198

Moved by Kelly Broome

Seconded by Jane Twinney

That there being no further business, the meeting adjourn at 6:57 pm.

Carried

Darcy McNeill, Chair

Linda Peppiatt, Acting CEO
Secretary/Treasurer



Town of Newmarket

Minutes

Heritage Newmarket Advisory Committee

Date: Tuesday, June 1, 2021
Time: 7:00 PM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Billie Locke, Chair
Gord McCallum, Vice-Chair
Councillor Bisanz
Norman Friend
David McLennan
Mitch Sauder
Joan Seddon (7:14 PM - 7:59 PM)

Staff Present: D. Morton, Planner
A. Walkom, Legislative Coordinator

The meeting was called to order at 7:04 PM. Billie Locke in the Chair.

1. Additions & Corrections to the Agenda

None.

2. Conflict of Interest Declarations

- David McLennan declared a conflict regarding 415 Davis Drive as his law firm represents the owner of the property.

3. Presentations/Deputations

None.

4. Approval of Minutes

4.1 Heritage Newmarket Advisory Committee Meeting Minutes of April 6, 2021

Moved by: Gord McCallum

Seconded by: David McLennan

1. That the Heritage Newmarket Advisory Committee Meeting Minutes of April 6, 2021 be received.

Carried

5. Correspondence

None.

6. Items

6.1 Heritage Designation Report for 415 Davis Drive

The Planner provided an overview of the designation report for 415 Davis Drive and advised that the heritage attributes meant the property is a strong candidate for designation. Members discussed the heritage attributes of the house and the need to preserve it.

Moved by: Councillor Bisanz

Seconded by: Mitch Sauder

1. That the Heritage Newmarket Advisory Committee recommend heritage designation of the property located at 415 Davis Drive.

Carried

6.2 75 and 79 Dawson Manor Heritage Permit

The Planner provided an overview of the heritage permit application and advised that the work involved minor repairs such as replacing window frames, boards and repainting. Members discussed the repair work outlined in the permit application and preserving the heritage attributes of the property.

Moved by: Mitch Sauder

Seconded by: David McLennan

1. That the Heritage Newmarket Advisory Committee support Planning Services in approving the heritage permit as submitted.

Carried

6.3 345 Botsford Street Heritage Plaque Request

Committee members discussed a request for a Heritage Plaque for the Julius Rogers house located at 345 Botsford Street.

Moved by: Joan Seddon

Seconded by: Mitch Sauder

1. That the Heritage Newmarket Advisory Committee begin research for a heritage plaque for 345 Botsford Street.

6.4 Update on Historical Society Archives Digitization Project and access to Archives

Billie Locke advised she would seek an update from the Newmarket Historical Society on the digitization of records.

6.5 Council Workshop Presentation - Advisory Committees Work Plan Accomplishments

The Committee reviewed the draft presentation for the June 7 Council Workshop and provided additional work plan accomplishments to be included in the presentation.

7. Committee Reports

7.1 Elman W. Campbell Museum Board

Billie Locke advised that as the Museum remains closed there was no update regarding the Elman W. Campbell Museum Board.

7.2 Lower Main Street South Heritage Conservation District Advisory Group

Mitch Sauder provided an update on the application related to 214-218 Main Street South. The Planner advised one further permit was issued related to a patio located behind 183 Main Street South.

8. New Business

None.

9. Adjournment

Moved by: Norman Friend

Seconded by: Joan Seddon

- 1. That the meeting be adjourned at 7:59 PM.

Carried

Chair

Date



Town of Newmarket

Minutes

Newmarket Economic Development Advisory Committee

Date: Wednesday, October 7, 2020
Time: 2:30 PM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Donna Fevreau, Chair
Steven Bruno
Robert Bull
Marek Dabrowski
Beric Farmer
Brian Johns
Jessica Rawlley
Rod Scotland
Darryl Sills
Beth Stevenson
Bri-Ann Stuart
Mayor Taylor
Edmund Yeung

Members Absent: Carin Binder
Patrick Horgan
Peter McKinnon
Deputy Mayor & Regional Councillor Vegh

Staff Present: J. Sharma, Chief Administrative Officer
I. McDougall, Commissioner, Community Services
E. Hawkins, Business Development Specialist
J. Grossi, Legislative Coordinator

The meeting was called to order at 2:30 PM.
Donna Fevreau in the Chair.

1. Notice

Donna Fevreau advised that all Town facilities were closed to the public, and that members of the public were encouraged to attend an electronic Advisory Committee or Board Meeting by joining through the ZOOM information provided with the agenda.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Deputations

None.

5. Approval of Minutes

**5.1 Newmarket Economic Development Advisory Committee Meeting
Minutes of February 6, 2020**

Moved by: Edmund Yeung

Seconded by: Bri-Ann Stuart

1. That the Newmarket Economic Development Advisory Committee Meeting Minutes of February 6, 2020 be approved; and,
2. That the Newmarket Economic Development Advisory Committee Meeting Minutes of June 30, 2020 be approved.

Carried

**5.2 Newmarket Economic Development Advisory Committee Meeting
Minutes of June 30, 2020**

Note: This item was dealt with under item 5.1. See item 5.1 for motion.

6. Items

6.1 2021-2024 Economic Development Strategy and the Impact of COVID-19

The Economic Development Officer and Businesses Development Specialist provided a presentation to the Newmarket Economic Development Advisory Committee which reviewed key economic indicators, future employment trends, and the Economic Resiliency Action Plan (ERAP). They continued with an overview of the Economic Development Strategy, the three proposed themes being Attraction and Marketing, Building an Entrepreneurial Ecosystem, and Community Vibrancy, and associated actions. The presentation concluded with questions for the group to answer and an opportunity to provide feedback.

The Members provided feedback to the presenters regarding key performance indicators for each theme, stresses from the pandemic that have been placed on local businesses, and future opportunities.

Moved by: Marek Dabrowski

Seconded by: Edmund Yeung

1. That the presentation provided by the Economic Development Officer and the Business Development Specialist regarding the 2021-2024 Economic Development Strategy and the Impact of COVID-19 be received.

Carried

7. Closed Session (if required)

Donna Fevreau advised that there was no requirement for a Closed Session.

8. New Business

None.

9. Next Meeting

The Legislative Coordinator advised that no meeting had been scheduled.

10. Adjournment

Moved by: Robert Bull

Seconded by: Edmund Yeung

1. That the meeting be adjourned at 4:07 PM.

Carried

Donna Fevreau, Chair

Date



Town of Newmarket

Minutes

Main Street District Business Improvement Area Board of Management

Date: Friday, May 7, 2021
Time: 8:30 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Tom Hempen, Chair
Allan Cockburn, Vice Chair
Councillor Kwapis
Councillor Twinney
Rob Clark
Debbie Hill (8:32 AM - 9:44 AM)
Mark Iacovetta (8:32 AM - 9:36 AM)
Jennifer McLachlan
Ken Sparks

Members Absent: Omar Saer

Staff Present: E. Hawkins, Business Development Specialist
J. Grossi, Legislative Coordinator

The meeting was called to order at 8:32 AM.
Tom Hempen in the Chair.

1. Notice

Tom Hempen advised that all Town facilities were closed to the public, and that members of the public were encouraged to attend an electronic Advisory Committee or Board Meeting by joining through the ZOOM information provided with the agenda.

2. Additions and Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations & Recognitions

None.

5. Deputations

None.

6. Approval of Minutes

6.1 Main Street District Business Improvement Area Board of Management Meeting Minutes of April 7, 2021

Moved by: Ken Sparks

Seconded by: Councillor Twinney

1. That the Main Street District Business Improvement Area Board of Management Meeting Minutes of April 7, 2021 be approved.

Carried

7. Items

7.1 Website Update

Rob Clark presented a draft outline of the new BIA website layout and reviewed each page type available. He asked for feedback on the draft document and advised that updates would be presented when available. He further reviewed the draft survey questions and asked for feedback from the Members.

7.2 Sub-Committee Reports

Street Events

- Tom Hempen advised that the Town would provide an update when appropriate as to when events would resume as the pandemic

restrictions changed. He also advised that the Newmarket Farmer's Market returned to Riverwalk Commons on Saturday, May 1, 2021.

Advertising

- Rob Clark provided an update on the snapd partnership and reviewed the goals, targeted personas, measurables, and impact. He further outlined the proposed three phase approach, and asked for Members to provide feedback.

Moved by: Rob Clark

Seconded by: Councillor Kwapis

1. That both the COVID-19 Marketing & Advertising, and the Strategic Priority sub-committees be dissolved.

Carried

Moved by: Rob Clark

Seconded by: Councillor Twinney

1. That the Main Street District Business Improvement Area Board of Management approve a budget of up to \$100 a month for a mailchimp account.

Carried

7.3 Garbage Update

Councillor Kwapis advised that there were no updates at this time.

7.4 Parking Update

Councillor Kwapis advised that the Town Off-Street Parking Program was continuing to be offered, and that residents were able to apply for and obtain a temporary parking exemption permit through the Town's online parking portal by providing their vehicle information. Residents would be permitted to park in one of four designated parking lots.

7.5 Staff Update

7.5.1 Financial Update

The Business Development Specialist provided an overview of the budget to date including allocated and unallocated funds.

Moved by: Ken Sparks

Seconded by: Allan Cockburn

1. That the Main Street District Business Improvement Area Board of Management approve the payment of the Errors and Omissions insurance in the amount of \$1020.60.

Carried

7.5.2 Financial Incentive Program Staff Working Group Update

The Business Development Specialist advised that there were newly interested parties but no applications have been approved at this time.

8. New Business

8.1 214 - 218 Main Street

Councillor Kwapis advised that a Heritage Permit had been approved by the Town to allow the owner of 214 - 218 Main Street the ability to erect a terrace on the front of the building, with access through an existing door. The Members discussed business owner concerns, the Heritage Permit consultation process, and enforcement on Main Street.

8.1.1 Pub Crawl Update

Jennifer McLachlan provided an update on the Pub Crawl Experience including ticket sales, social media activity, and the marketing campaign.

9. Closed Session

Tom Hempen advised that there was no requirement for Closed Session.

10. Adjournment

Moved by: Councillor Kwapis

Seconded by: Rob Clark

1. That the meeting be adjourned at 10:08 AM.

Carried

Tom Hempen, Chair

Date



Town of Newmarket

Minutes

Newmarket Anti-Black Racism Task Force

Date: Tuesday, May 4, 2021
Time: 4:00 PM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Jerisha Grant-Hall
Nadia Hansen
Councillor Bisanz (4:56 PM to 5:14 PM)
Councillor Broome
Claudius Brown
Holly Douglass
Gavin Gunter
Gary Miranda
Councillor Morrison
Opiyo Oloya
Maxine Gordon Palomino
Kimberly Roach (4:19 PM to 5:11 PM)
Leslie Serieux

Members Absent: Lori-Anne Beckford

Staff Present: Jennifer Rose, Healthy Program Workplace Specialist
Kiran Saini, Deputy Town Clerk
J. Grossi, Legislative Coordinator

The meeting was called to order at 4:04 PM.
Jerisha Grant-Hall in the Chair.

1. Notice

Jerisha Grant-Hall advised that all Town facilities were closed to the public, and that members of the public were encouraged to attend by joining through the ZOOM information provided with the agenda.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations

None.

5. Deputations

None.

6. Approval of Minutes

6.1 Newmarket Anti-Black Racism Task Force Meeting Minutes - April 6, 2021

Moved by: Opiyo Oloya
Seconded by: Nadia Hansen

1. That the Newmarket Anti-Black Racism Task Force Meeting Minutes from April 6, 2021 be approved.

Carried

7. Items

7.1 Affirmation

Jerisha Grant-Hall provided an affirmation and acknowledged ancestors who paved the way for the work that the Task Force is contributing to. She acknowledged the uncertainty of the times we live in and how it acts as a reminder of what our ancestors went through. She closed with a reminder that the road to healing started long ago and that the power, resilience, pain and wisdom of our ancestors is within all of us.

7.2 Reports from Subcommittees

Gavin Gunter provided an update on behalf of subcommittee #1 and advised that he would be circulating a draft of the interim report to Council. He talked about some of the key themes that have emerged thus far, and

provided a preliminary overview of the structure of the report. Gavin advised he would lead compiling the report together for the Task Force, and reminded all subcommittees to provide their relevant sections to include with the report.

Leslie Serieux and Jerisha Grant-Hall provided an update on behalf of subcommittee #2. Leslie advised that they are working on summarizing their thoughts for the interim report. Jerisha advised of the key themes that have emerged from the survey and that may form part of the Task Force's recommendations to Council: 1. Black Leadership (Council representation, employment, recruitment, hiring, promotion and retention); 2. Education (campaign, awareness, training); 3. Black youth (mentorship and pathway planning); 4. Community engagement; 5. Representation and recognition; 6. Culture change; 7. Income inequality/disparity; 8. Support for Black-owned businesses; 9. Town policies and procedures; 10. Cross-municipal and Cross sector work (Town working with York Regional Police, School Boards and other municipalities); 11. Acknowledgement and mechanism for reporting and accountability; 12. Periodic townhalls and surveys; 13. Internal Town equity, diversity and inclusion committee; and, 14. Policing practices.

Holly Douglass provided an update on behalf of subcommittee #3 and acknowledged their review of the survey results also echoed issues surrounding education, a lack of sense of belonging, and affordability and accessibility of programming services.

7.3 Interim Report to Council

There was discussion regarding the interim report and reminders of deadlines for submitting the report and presentation to staff for inclusion on the May 25 Committee of the Whole agenda.

Jaclyn Grossi provided an overview of the various chart and stylistic options to display survey results for non-open ended questions. Jerisha advised that she will work with Jaclyn to assist with grouping responses for the question related to race and ethnicity. It was noted that these charts would be prepared for the final report to Council and would not be included as part of the interim report.

8. New Business

(1) Pan African Flag

Councillor Broome advised that Bradford developed a Pan African flag for Black History Month this year, and advised that she would provide this information to Jerisha as the Chair of NACCA for consideration for collaboration for 2022.

9. Adjournment

Moved by: Leslie Serieux
Seconded by: Councillor Morrison

1. That the meeting be adjourned at 5:14 PM.

Carried

Jerisha Grant-Hall, Chair

Date



Town of Newmarket

Minutes

Newmarket Anti-Black Racism Task Force

Date: Tuesday, June 1, 2021
Time: 4:00 PM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: Jerisha Grant-Hall
Nadia Hansen
Lori-Anne Beckford
Councillor Bisanz
Councillor Broome
Holly Douglass
Gavin Gunter
Gary Miranda
Councillor Morrison
Maxine Gordon Palomino
Kimberly Roach
Leslie Serieux

Members Absent: Claudius Brown
Opiyo Oloya

Staff Present: Jennifer Rose, Healthy Program Workplace Specialist
Kiran Saini, Deputy Town Clerk

1. Notice

Jerisha Grant-Hall advised that the Municipal Offices remain closed to the public. This meeting was available VIA ZOOM Meeting at newmarket.ca/meetings.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Presentations

None.

5. Deputations

None.

6. Approval of Minutes

6.1 Newmarket Anti-Black Racism Task Force Minutes - May 4, 2021

Moved by: Nadia Hansen

Seconded by: Councillor Bisanz

1. That the minutes of the Newmarket Anti-Black Racism Task Force Minutes May 4, 2021 be approved.

Carried

7. Items

7.1 Affirmation

Jerisha Grant-Hall provided an Indigenous land acknowledgement. She shared the impact of colonization and standing with the Indigenous community, and in particular the grief and trauma communities are once again experiencing as a result of the discovery of 215 unmarked graves at a former Kamloops Indian Residential School.

Nadia Hansen shared an affirmation using the work of the Task Force as a foundation and reminder of who will be impacted by the work of the Task Force.

7.2 Review of Interim Report Presentation to Council

Jerisha Grant-Hall provided an update to Task Force members and advised that Members of Council were appreciative of the work of the Task Force and the interim report to Council. She advised that Council

requested an Information Report from staff to report on the provisional recommendations.

There was discussion regarding the provisional recommendations. Members noted that although they do not have finalized recommendations, they provided some direction as to what the final recommendations will be. With regards to Black History Month, it was noted that having year round education is important to embrace the history throughout the year rather than only during the month of February. There was further discussion regarding the how a Race Equity Impact Assessment would help the municipality assess the impacts that policies and decisions have on the Black community. The cities of Toronto and Vaughan were cited as examples for advancing various anti-Black racism initiatives.

7.3 Review of Draft Presentation to Council at Workshop on June 7, 2021

Jerisha Grant-Hall provided an overview of the presentation that she intended to deliver as part of the June 7 Council Workshop for all Advisory Committees, Boards and Task Forces. Members provided updates and suggested various edits to the presentation.

7.4 Review of Draft Vision Statement

Jerisha Grant-Hall requested that all Members review the draft vision statement and give some thought as to whether the current draft is appropriate or a more condensed version would be more impactful. It was requested that Members come prepared to discuss the vision statement at the next meeting in July.

7.5 Reports from Subcommittees

Gavin Gunter provided an update on behalf of subcommittee #1 and advised that there were no significant updates at this time. He noted that the Task Force will need to consider how to structure the final report to Council.

Leslie Serieux provided an update on behalf of subcommittee #2 and advised that at this time the subcommittee is reviewing demographic information that was provided through the Census data.

Nadia Hansen provided an update on behalf of subcommittee #3 and advised that the subcommittee continues to review and gather information for the final report.

Jerisha Grant-Hall advised that for the final report, the Task Force will need a works cited page and images for incorporation into the final report.

8. New Business

None.

9. Adjournment

Moved by: Nadia Hansen

Seconded by: Councillor Broome

1. That the meeting be adjourned at 5:14 PM.

Carried

Jerisha Grant-Hall, Chair

Date



Town of Newmarket

Minutes

Council Workshop - Electronic

Date: Tuesday, August 24, 2021
Time: 1:00 PM
Location: Streamed live from the Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Taylor
Deputy Mayor & Regional Councillor Vegh
Councillor Simon
Councillor Kwapis
Councillor Broome
Councillor Bisanz

Members Absent: Councillor Woodhouse
Councillor Twinney
Councillor Morrison

Staff Present: I. McDougall, Chief Administrative Officer
E. Armchuk, Commissioner of Corporate Services
P. Noehammer, Commissioner of Development & Infrastructure Services
L. Lyons, Director of Legislative Services/Town Clerk
K. Venkataraman, Director of Information Technology Services
A. Walkom, Legislative Coordinator
J. Grossi, Legislative Coordinator

The meeting was called to order at 1:00 PM.
Mayor Taylor in the Chair.

1. Notice

Mayor Taylor advised that the Municipal Offices were closed to the public and that this meeting was streamed live at Newmarket.ca/meetings.

Mayor Taylor advised that in accordance with the Town's Procedure By-law, no decisions are to be made but rather this meeting was an opportunity for Council to have informal discussion regarding various matters.

2. Additions & Corrections to the Agenda

None.

3. Conflict of Interest Declarations

None.

4. Items

4.1 Digital Transformation Study

The Director of Information Technology Services provided an introduction to the presentation which outlined the background of the Town's service review and the need to incorporate technological improvements.

Jaiman Chin, Engagement Lead for Strategy Corp. provided a presentation which included a background of the Town's administrative and service delivery review and the development of a digital transformation strategy. He provided an overview of the scope and timeline for the project, an explanation of what digital transformation is and the key considerations in its execution. The presentation concluded with a list of discussion questions for Council regarding a digital transformation strategy.

Members of Council discussed digital methods for gathering concerns from residents, additional improvements to the Town website, improved search engine performance on the website, a self-serve tracking system for residents' inquiries, and a system to track frequently asked questions. Members discussed potential barriers for residents who may not be able to use technology improvements or are reluctant to use them for certain services.

5. Adjournment

Moved by: Councillor Broome

Seconded by: Councillor Kwapis

1. That the meeting be adjourned at 2:18 PM.

Carried

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2021-38

A By-law to designate 17645 Yonge Street as a Class 4 Area under the Ontario Ministry of the Environment, Conservation and Parks “Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning (NPC-300)”.

Whereas Council can authorize that a property can be designated a Class 4 Area in order to acknowledge external noise cannot be fully mitigated for infill developments in urban areas;

And whereas all of the conditions of the NPC-300 Guideline have been met;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That 17645 Yonge Street is authorized to be classified as a Class 4 Area under the Ontario Ministry of the Environment, Conservation and Parks “Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning (NPC-300)”

Enacted this 30th day of August, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Corporation of the Town of Newmarket

By-law 2021-39

A By-law to appoint a Chief Building Official, Deputies and Inspectors.

Whereas Section 3 of the Building Code Act, 1992 provides for the appointment of a Chief Building Official and Inspectors, and Section 77 of the Legislation Act, 2006, provides for the appointment of Deputies;

And Whereas Section 23.1 of the Municipal Act authorizes a municipality to delegate its powers and duties;

And whereas Council deems it necessary to provide for the appointment of a Chief Building Official, or Deputy Chief Building Officials, to assist in carrying out the duties of the Chief Building Official, and of Inspectors;

And whereas Andrew Jurrius, Craig Bickers and Franco Marra have met the qualifications of Section 3.1 Division C of the Building Code and are registered with the Ministry of Municipal Affairs.

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That Andrew Jurrius (BCIN 12041) be appointed Chief Building Official for the Town of Newmarket effective September 20, 2021; and,
2. That Craig Bickers (BCIN 21070) is hereby appointed as Inspector and to act in place and stead of Andrew Jurrius as Chief Building Official under the Act in respect to the administration of the Act when Andrew Jurrius is absent from the municipal offices; and,
3. That Franco Marra (BCIN 36906) is hereby appointed as Inspector and to act, in place and stead of Andrew Jurrius as Chief Building Official under the Act in respect to the administration of the Act when both Andrew Jurrius and Craig Bickers are absent from the Municipal Offices; and,
4. That for the purposes of this section “absent” includes when the Chief Building Official is ill or unavailable for any reason, or when the office is vacant; and,
5. That the Chief Building Official is authorized to carry out the administrative function of appointing Inspectors, including the function of revoking such appointments, under Section 3 of the Building Code Act, 1992, subject to the following conditions:
 - a. The Chief Building Official maintains an up to date list of Inspectors; and,
 - b. Prior to their appointment, each candidate for appointment hold the necessary legislated qualifications for an Inspector; and,
6. That By-law 2017-41 be hereby repealed.

Enacted this 30th day of August, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Corporation of the Town of Newmarket

By-law 2021-40

A By-law to amend Procedure By-law 2020-12 to permit electronic participation in meetings.

Whereas Section 238(2) of the Municipal Act, 2001 provides that every municipality shall pass a procedure by-law for governing the calling, place, and proceedings of Meetings; and,

Whereas the Council of the Corporation of the Town of Newmarket enacted Procedure By-law 2020-12; and,

Whereas on March 19, 2020 the Province of Ontario enacted the Municipal Emergency Act, 2020 to amend the Municipal Act, 2001, to enact section 238(3.3) and 238 (3.4) to permit meetings to be held electronically during an emergency declared pursuant to the Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E.9; and,

Whereas on July 23, 2020, the COVID-19 Economic Recovery Act, 2020 (Bill 197) received Royal Assent from Legislature of Ontario; and,

Whereas Section 238(3.1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended by the COVID-19 Economic Recovery Act, 2020 (Bill 197), allows for a member of council, a local board, or a committee of either of them to participate electronically in a meeting of the municipality which is open or closed to the public and be counted towards quorum, provided that the municipality's procedural by-law so allows, and that such authority is no longer limited to periods in which an emergency is declared to exist in all or part of the municipality under Section 4 or Section 7.0.1 of the Emergency Management and Civil Protection Act; and,

Whereas the province-wide emergency declared by the Premier of Ontario under Order in Council 518/2020 (Ontario Regulation 50/20) pursuant to Section 7.0.1 of the Emergency Management and Civil Protection Act in response to the COVID-19 pandemic was revoked on July 24, 2020, and it has been resolved that a province-wide emergency will not be further declared at this time; and,

Whereas the Council of the Town of Newmarket considers it necessary to continue to conduct meetings of Council, its committees, and its local boards by electronic communications to ensure the continuity of municipal operations and the provision of essential municipal services while observing the recommendations of public health authorities in relation to the COVID-19 pandemic;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That section 26 (Electronic Meeting Participation) of By-law 2020-12, as amended, be amended to delete the following words: "effective October 13, 2020 until December 31, 2021" and replace with the following words: "effective August 30, 2021."

Enacted this 30th day of August, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk

Corporation of the Town of Newmarket

By-law 2021-41

A By-law to confirm the proceedings of a meeting of Council - Electronic –
August 30, 2021

Whereas s. 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that the powers of a municipal corporation shall be exercised by its Council; and,

Whereas s. 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that a municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and,

Whereas the Council of the Town of Newmarket deems it advisable to pass such a by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That subject to Section 3 of this by-law, every decision of Council, as evidenced by resolution or motion, taken at the meeting at which this by-law is passed, shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted;
2. And that the execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized;
3. And that nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied;
4. And that any member of Council who disclosed a pecuniary interest at the meeting at which this by-law is passed shall be deemed to have disclosed that interest in this confirmatory by-law as it relates to the item in which the pecuniary interest was disclosed.

Enacted this 30th day of August, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk